

ORATORY

A Handbook for Participants in the National
Oratorical Contest, Containing the
Winning Orations of Each Year

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ORATORY

ORATORY

CHAPTER I

WHAT IS ORATORY?

ORATORY is not merely literature. It is not a matter of moving the arms or the lips or the eyes or even the eyebrows—but of moving the audience.

Furthermore, it is one of the most difficult of the arts because in it the artist, while working with the most elusive materials, must achieve his object instantly.

The painter can rely on his brush, his colors, his canvas—and plenty of time and seclusion in which to meditate, to retouch, to improve. If his neighbors do not appreciate his picture, the next city, or the next century can, for it is beauty in lasting form.

The sculptor knows his problem to be simply a matter between his talent and marble—tough but steadfast marble. “Winged Victory” is superb after twenty-odd centuries without any reference to its effect upon its first beholders, and its creator did not have to work under a spotlight.

If the playwright (who works in relatively stable materials, words) finds no adequate actor at first, he may be vouchsafed one ultimately through whom to triumph, for the playwright is scarcely half of the play.

The author, too, can bide his time, knowing that if his ideas are unheeded one year they, nevertheless, may be heralded the next, for the written word is one of the few products of man which gains rather than loses value by being reproduced. He can hide behind anonymity and

not one in a hundred of his readers will be seriously concerned about him as an individual. Fully ninety-five percent of what the public reads in newspapers is unsigned, and yet almost no one asks "Who wrote it?"

Let some remarkable idea be flashed before a throng and very few of the beholders will inquire as to its author. But let an unknown man arise in any gathering of people and speak but a dozen words and the entire audience begins rustling for programs and whispering, "Who is he?" Why this difference? Simply because the printed word is personality twice removed; the spoken word is personality, present and compelling—and it is personality which is the chief motive power in human affairs.

The printed word is but the spoken word in chains; powerful, of course, but only as a by-product of that power which, since man became vocal, has resided in the spoken word—and will reside. In spite of the billions of printed and written words with which humanity has been supplied through the centuries, it is doubtful if it can be shown that, actually and alone, they have brought about a single major movement among mankind.

No true leader ever handed his men a communique if it was possible to reach them with his own voice. When the number involved becomes so vast as to make personal appeal impossible he still calls in his key men and communicates his inspiration to them verbally, leaving them to echo it to those below them, as Pershing did with his officers before he began his major offensive.

Laotse, Confucius, Jesus, Buddha, Mohammed, Luther—all produced their results through the same means. "Never man *spake* like this man!" They spoke not merely to the multitude, but to stir the enthusiasm of their intelligent but cold lieutenants.

Plato, "the broad shouldered," (who would have cared about his physique had he been merely a writer?) made fun of the fussy rhetoricians of his day, but he himself influenced Greece (and thereby the world) by thinking convincingly on his feet.

"Pot-bellied" Socrates (the epithet being but another reminder of the keen interest in the speaker as an individual) is powerful to this day through the spoken words with which he set the men of his own time to thinking. And he is powerful today, it should be noted, through the results achieved in that time, rather than because of the purely academic interest which his words have as printed in cold type in this age.

Aristotle probably did more through the words which he spoke to Alexander than by his conflict-causing writings—tremendously though the latter have fascinated cloistered minds since his time. Certain it is that his spoken words fired Alexander's mind in a way that made him an incomparable agency for spreading Greek ideas throughout the world.

History, indeed, is but the record (embalmed in written words) of what men have been driven on to do under the spur of the spoken word!

Of course, only an infinitely small number of spoken words have had driving power, and in most of those instances the words themselves, as well as the technique of their delivery, have been swallowed up in the deeds which they precipitated. Likewise he who studies Oratory (the art of the quickening word) must be on his guard lest he mistake a subtle technique for a simple one, merely because it has been used by and upon men of all degrees of intelligence from the beginning of history.

Oratory presents the difficult problem of utilizing, under a rigorous time-limit, four variable and dissimilar elements in such a way as to affect conduct. These four elements are: (1) The orator's literary equipment (complete mastery of words suitable to his task); (2) his physical equipment (voice, bodily symmetry, etc.); (3) his psychic equipment (those deep-buried flames within the soul without which all else is as nothing); and (4) the receptive equipment of his hearers. As prosaic a thing as a head cold may destroy the effect of what would have been an excellent speech. A faulty

instinct for words suitable to a particular occasion may foil the most persuasive voice and the most attractive personality. The inspiration of a speaker, which may have been tremendous at a given time on Monday, may at the same hour on Tuesday be at the ebb. In even the most ardent individuals the fires within the heart flare up and fall back with baffling irregularity.

The author can wait for the fires to rekindle themselves, but the orator must have them in full flame at a specified time. Lastly, the orator's task is affected by the receptive power of that particular set of individuals gathered before him. His vocabulary may be adequate to his subject and yet be wasted if it is not both understandable and quickening to his hearers.

Even more important is the fact that between the speaker and his audience, there must be felt speedily a mutual thrill. The orator's personality as it reveals itself must be fired and swept along by that responsive urge which comes rushing up to him from beyond the footlights. This urge has nothing to do with the culture, the education or the immediate environment of the crowd. It is not a product of a friendly and sympathetic audience. Indeed, a "sympathetic" (i. e., "suffering with") audience is a severe handicap to a real orator.

Almost all of the speeches of enduring effect have been delivered to hearers superficially (that is mentally) hostile. Such hostility generally acts as a stimulus to the speaker of courage and conviction. But there must be a psychic kinship between the speaker and the crowd, something going back beyond political and social alignments, back, one might almost say, beyond the very beginning of language.

In the higher oratory truly "Deep calleth unto Deep!"—the soul of the speaker and the composite soul of the crowd. If these two souls thrill together, the smaller matters fade away.

Under such conditions John Randolph, the slaveholder, becomes as one with O'Connell as he listens to that remarkable opponent of slavery; the ignorant Eng-

lish mill workers, though their very bread seems to depend upon slave-grown cotton, take sides against themselves when Beecher addresses them; Philip of Macedon, thrilled by the enthusiastic report of one of his spies on Demosthenes' superb denunciation of him, is moved to exclaim: "Had I been there I would have declared war upon myself!"; Patrick Henry, on a different economic and social level from most of the members of the House of Burgesses, not only wins them over in spite of themselves, but stamps his words so deeply in their minds that a number of them, days afterwards and without consultation, could write down his speech almost verbatim entirely from memory.

The orator, in fact, uses words to go back beyond words, and to do it successfully he must have an audience which, while being lifted, lifts him also. Nor is the soul of the crowd always the same, even though the same people are gathered together on different days. There is an ebb and flow in the composite receptive power of the audience as in the individual creative power of the speaker.

Oftentimes the ablest orators with apparently identical audiences and with the "occasion" (in its temporary aspects of crisis, alarm, etc.,) virtually identical with that of a previous triumph, fail to draw out that purple fire which leaps from soul to soul. It is noteworthy that only a few "supreme" efforts are credited to even the finest speakers, though they spoke many times under apparently similar conditions. The crowd, then, actually becomes contributor as well as listener.

What could be more futile, therefore, than to prate about the place of an orator as a minor figure in "literature"—as if in reprinting his bare words (stripped of their setting, detached from his personality, no longer aglow with the fervor caught from his hearers) all that is necessary for a fair evaluation of a speaker is made available! What could be more inadequate than treating the oration as merely an essay read aloud? What could be sillier than to say that the orator's influence is to be

measured by the number of times his words are reprinted or the frequency with which they are declaimed by childish lips?

The orator's immortality is not a library one. It is to be found in the fruits of his words at the time they were spoken. The test of his success is not to be sought in the words printed after he spoke, but in the pulses which he quickened, the aspirations which he aroused, the deeds which he made inevitable by the speech itself. Eloquence lives not in print, but in life!

Oratory is the art of bringing ideas to white heat and then letting them loose among men through the immediate agency of the most powerful stimulus known to man—personality. Launched thus, ideas through centuries, have swept into and speeded up the currents of life. Untagged, unprinted, often unperceived, they throb on and on, as do ether waves—not to be ignored merely because not fully understood.

Truly an exacting art, this oratory, with its baffling ramifications and its immemorial vigor. But, what vast returns it offers—returns in influence, in power and, above all, in giving to the prisoned, inward self *sweep* and *fire* and *wings*.

CHAPTER II

COMPOSITION

THE opening sentence of an oration need not go back to the Creation or even the Flood in order to lay the foundation for what is to follow. Generally it is best to begin within at least two milleniums of the period in which the speaker is living. Indeed, some very effective speeches have been made on the assumption that the audience already had heard of Babylon, Greece, Rome, and even the Renaissance.

A speaker, in fact, begins under a handicap if he underestimates the intelligence and overestimates the patience of his hearers. The natural and reasonable method is that under which the speaker moves into his subject without unnecessary preliminaries. Almost all of the worthwhile speeches in every age have been those which quickly got at the heart of whatever was under discussion. A brief philosophical or anecdotal introduction is occasionally employed with marked success, but only by a master. As a rule the amateur who attempts such a method becomes a platitudinarian, sacrificing freshness and virtuality to mere verbiage.

The speech proper should be diagramed carefully at the outset, with special attention to the order in which the ideas are to be presented. The important points should be established clearly, but not numbered. An audience is apprehensive of a long dry speech the moment a speaker begins enumerating his points as "first," "second," "third," etc.

The ideas expressed should increase in vigor and significance as the speech unfolds, so as to lead up naturally to a strong climax. This climax should epitomize the

whole speech and should be limited to a few brief sentences so worded as to make them stick in the minds of the hearers. It is important that the last word uttered by the speaker be one calculated to close the speech appropriately.

Without going into the complicated question of the relative merits of "prepared" and "spontaneous" addresses, it will suffice at this point to state that this book deals with oratory as an art which, broadly speaking, is not successful when used strictly extemporaneously. There have been a number of gifted men who spoke with superb forcefulness and effect without writing their speeches out and delivering them word for word. There have been no men, however, who achieved success as public speakers who approached their subjects absolutely without any preparation. That is to say, even the "extemporizers" arrange their ideas according to some outline before they speak and make frequent use of phrases and figures of speech to which they have given careful thought. Emerson sums up this question by saying: "Extempore speaking can be good, and written discourse can be good. A tent is a good thing, but so is a cathedral."

Certainly the written speech is much more likely to be adequate than the unwritten one. The trained speaker should be able to use both methods. In nearly every case he will find the written one essential for an important address. The beginner, beyond any question, should familiarize himself with the special verbal technique required for public speaking, and from the standpoint of the substance of what he is to say, the best way to do that is to approach public speaking through the medium of putting his thoughts clearly on paper as a prelude to expressing them forcefully on his feet. A speaker should be able to extemporize when he has to, and should have industry enough to properly prepare his speech when time and circumstances permit.

Oratorical composition is in many aspects midway between poetry and ordinary prose. At its best it hints

at a cadence approaching that of poetry, yet it must never be meter-bound. On the other hand, it must be timed even more slowly than, say, the essay, though it must produce its effect in less time than an essay.

The connection between oratory and poetry has been recognized for centuries. Through the greatest orations there runs a metric quality, at one time rising to blank verse, and then fading away just as one begins to sense the rhythm. The orator cannot successfully maintain the same, strong rhythm in his speech for any length of time without defeating his own purpose. Apparently the reason for this is that in dropping into poetic measures he destroys that feeling of immediate personal contact and communication which is part of the secret of the influence of eloquence. Poetry has about it a certain steadiness of beat which the public instantly associates with a prepared, literary effort. The task of the orator is to work so artistically that he leaves no traces of his craftsmanship—particularly no traces which will remind the audience that what he is saying was worked out beforehand. Since no man has ever been able to create and recite instantly any great amount of poetry, the speaker who resorts to continuous blank verse immediately puts the odor of the midnight oil into the Elysian fields—and midnight oil is the one talent which must always be hidden away under a bushel.

Perhaps this fact explains the failure of Shakespeare's plays to hold the interest of the public. The essence of drama is the creation of the illusion of reality. Blank verse (however skillfully handled) makes the actors appear simply as actors (declaimers of the poet's ideas) rather than as people of real life. The complete illusion of reality is created—passion, violence, sudden death; men and women in the flesh—and then, like a veil (wondrously wrought, but still a veil) the linked, gorgeous verse comes between the actors and the crowd. What was life becomes literature—and man's chief interest is in life!

There is, furthermore, a fascination about detecting

and following the beat of blank verse which leads an audience (if not lulled to sleep by monotony) to entirely forget what is being said through listening to the mechanics of saying it. Thus blank verse draws attention away from the matter to fix it on itself.

The line of demarkation between oratorical prose and the essay is also an interesting one to follow. The essay, of course, appeals primarily to the eye, the oration to the ear. Now the eye is much quicker than the ear in word perception, because the written word over which the eye hastens is much shallower than the spoken word over which the ear lingers. The written word is a new thing, without roots in the memory and without a beaten pathway to the heart, as contrasted with the spoken word, which antedates it by eons and which is infinitely richer in associations and, therefore, in moving power. Quintilian states the matter thus: "The great judge of oratorical composition is the ear, which is sensible of what fills it, misses something in whatever is defective, is offended with what is harsh, soothed with what is gentle, startled by what is distorted, approves what is compact, marks what is lame, and dislikes whatever is redundant and superfluous. Hence, while the learned understand the art of composition, the unlearned enjoy pleasure from it."

Tacitus summed up the literary portion of the orator's task in these words: "Now I would have the orator be like the man of wealth and station, for whom it is not enough that his house will keep out the wind and rain; it must strike the eye and present a pleasing object. Nor will it suffice that the furniture may answer all domestic purposes; it should have gold and gems so curiously wrought that they will bear examination, often viewed, and always admired. The common utensils, which are either mean or sordid, should be carefully removed out of sight. In like manner the true orator should avoid the trite and vulgar. Let him reject the antiquated phrase, and whatever is covered with the rust

of time, let his sentiments be expressed with spirit, not in clumsy, ill-constructed periods, like those of a dull writer of annals; let him banish low, insipid raillery, and let him know how to vary the structure of his periods, so as not to end every sentence with the same unvaried cadence."

CHAPTER III

DELIVERY

FROM the moment that a person arises to address an audience until he makes his final bow, he is judged in his totality. It is not solely how he handles his words, but also how he handles himself that counts with his hearers.

The ease or awkwardness displayed in the simple act of bowing to the chairman and walking to the front of the stage creates an impression, favorable or otherwise, which goes a long way toward determining a speaker's success or failure. Before a word is spoken he reveals whether or not he is in control of himself physically, and, fairly or not, the mental and even the spiritual qualities of a man are judged at the outset by his appearance, first impressions being notoriously tenacious. If he is afraid or over-aggressive or merely properly sure of himself and duly respectful toward his audience, he shows it unmistakably.

Having his bodily movements well under control, he should decide in advance as to the exact spot on which he is to begin speaking, and should move toward it naturally and directly, without marching and counter-marching between the chairman and the footlights. There is nothing more grotesque than a speaker delivering several half-salutations to the presiding officer as he advances and then, at the last moment, turning his back on the audience and shouting, "Mr. Chairman," (in a voice loud enough to be heard in the most remote corner) at an individual only a few feet away from him.

The custom of saying "Mr. President" or "Mr. Chair-

man" in a powerful voice grew up when it was necessary to be "recognized" in order to gain the floor. Under such conditions (still prevalent in legislative halls) the speaker in rising faced the chairman and was often at a considerable distance from him.

In public gatherings in which the speaker is on the platform beside the chairman and is introduced by him, all that is necessary in return is a bow and a reply in a voice appropriate to the distance between them. The salutation to the audience should be in a low but audible tone, and should not take the form of an attempt to single out and greet every group in the assemblage. Even if the speaker is in a contest, he should content himself with "Ladies and Gentlemen," not alienating the audience by appearing unduly solicitous toward the judges, who, in reality, are influenced strongly by the reaction of an audience to an address.

The speaker should avoid standing motionless or "freezing," as it is called in a hunted animal—as it instantly flashes to the audience the news that he is afraid. After all, the first signs of life must be shown by the speaker, and he can hardly do this too early. On the other hand, aimless walking across the stage while speaking almost always distracts and confuses an audience, there being no connection between the words used and the restless activity of the speaker. The symmetry of the orator's effort is destroyed if the body says one thing, the hands and legs another, and the voice something else. A speaker is an actor as well as a musical instrument, and should convince through the eye in addition to the ear, both appeals being simultaneous and so well coördinated as to appear as one.

Generally, the less thought a speech contains, the more gymnastics it can survive. An address on a rational topic before an intelligent audience should never be handicapped by an admixture of shadow boxing. This does not mean motionless speaking. It simply means limiting motions to those which fit in with and strengthen the spoken word.

To avoid rigidity, the speaker should occasionally shift his weight from one foot to the other, without the uneasy manner of one swapping horses in mid-stream. Such movements should be made at points in the speech at which there are abrupt changes in thought or, better still, under cover of some movement of the hand or head which draws attention away from the feet.

As he warms to his theme, an orator naturally will advance toward his hearers or from time to time give emphasis or variety to his utterances by turning slightly and moving a step or two toward first one and then the other side of the audience. Moving back-stage is hardly ever justifiable, as it suggests a recession of thought and feeling. Care should be taken to address all of the audience instead of looking toward and talking to only those persons on the right or those in the balcony. It is well to stand as erect as possible, without giving the impression of having been stretched, ram-rodged and inflated especially for the occasion.

The Greeks and Romans regarded bodily symmetry as so important in a speaker that they trained aspirants toward that end from their youth, utilizing running and swimming as particularly conducive to grace and ease of body.

There is, of course, "good form" in gesticulation, just as in golf, tennis, boxing and football. The same general paradox applies on the stage as in sports, namely, the longest way 'round (the curve) is the shortest way through. Angular, disconnected gestures, therefore, should give place to those creating that impression of completeness which we associate with a circle. Of course the circle should never be completed in a gesture, but simply implied.

Pounding the table, stamping the foot and shaking the fist are generally marks of the amateur and (which is more important) annoy most audiences. Holding the body perfectly stiff and swinging it slowly from side to side or back and forth on toes and heels is a common failing among beginners, and one which is all the more

difficult to correct because (though obvious to all observers) it is done unconsciously. Equally unfortunate is the habit of nervously opening and shutting the hands while the arms hang limply. Perhaps the most serious blunder in posture is that of holding the arms rigidly by the sides, with the fists clenched. This betrays the fact that the speaker is literally "scared stiff," and is in a defensive attitude toward those before him.

The frog-like posture of one who tries to keep his weight evenly on both feet, with legs sprawled apart as if expecting to topple over to right or left, is ludicrous in itself and necessitates much foot-work if an attempt is made to change the posture.

In short, the speaker's complete physical equipment should be used in a confident, dignified manner so as to supplement, rather than conflict with, his words.

A good voice—in range, volume and quality—is, of course, essential to successful speaking. Such a voice is by no means rare. On the contrary, many people have voices which could be used effectively in public speaking. But few know how to utilize them. Almost all beginners underestimate the carrying power of their voices. The result is shouting and straining, which will ruin the best voice and madden the friendliest audience. "Shoutatory" is not oratory.

Another cause of trouble is ignorance of the simple rules governing breathing while speaking. A speaker needs to be a deep breather, capable of slowly and smoothly exhaling over a relatively long period of time. He should not exhale jerkily and in such a way as to make his words thin. But to breathe properly for public speaking one should practice deep breathing so systematically that on the platform no thought has to be given to that important detail. It is a mistake to attempt to change one's system of breathing on the platform. Improvement in breathing must be the result of long-continued exercises, resulting in unconscious increase in power and ease on the rostrum.

To be used effectively the voice must be kept from

monotony or "one-tonedness." Nothing wears an auditor more than one tone long continued. This can be avoided by giving attention to the various ways of combining groups of words, and particularly by the use of pauses irregularly, instead of at fixed intervals.

By rapidly varying and carefully rationalizing the stresses placed upon succeeding syllables, it is possible to transform a monotonous into a vivid speech. The speaker who has fallen into the habit of delivering all of his sentences in one tone and at a uniform speed would do well to reconstruct portions of his speech, so as to inject into it shorter sentences calling for special emphasis upon key words, and also so as to utilize the rising inflection of a vigorous interrogative.

Inflection in the ordinary use of the voice follows approximately this course: (1) rising, (2) sustained, unbroken glide, and then (3) descent, often abrupt. That is the main groove of monotony. To get out of it a new set of words, compelling different tone treatment, is frequently necessary. Often the mere recognition of the tone-course will be enough to point to the way out, which is generally through greater freshness of language and more complete grasp of the meaning of the words which are used. In one case the speaker may be breaking his words up too scrupulously into syllables, ignoring that elision which at times brings out the true beauty of prose no less than that of poetry. In another case the elision may be overdone to the point where it becomes slurring, or even incoherent. Word splitting which is too thorough-going insults the intelligence; that which is too careless of the value of syllables entirely ignores it.

The important thing in the "phrasing" or distribution of emphasis in a spoken address is to make it pleasing to the ear and at the same time helpful to the mind. In oratory he who hesitates is by no means lost—provided he utilizes his pauses with skill. Few devices are more effective than a pause, followed by exactly the right word.

To Cicero effective delivery was the means whereby

to hold and sway men, as shown in his magnificent words: "Nothing seems to me more noble than to be able to fix the attention of men by speaking, to fascinate their minds, to direct their passions to whatever object the orator pleases, and to dissuade them from whatever he desires. This particular art has flourished above all others in every free state, and especially in those which have enjoyed peace and tranquillity, and has ever exercised great power.—What is so striking, so astonishing as that the many should be swayed by the speech of one man? But, that we may notice the most important point of all, what other power could either have assembled mankind, when dispersed, into one place, or have brought them from wild and savage life to the present humane and civil state of society; or, when cities were established, have described for them laws, judicial institutions and rights? I consider that by the judgment and wisdom of the perfect orator, not only his own honor, but that of many other individuals, and the welfare of the whole state, are principally upheld."

CHAPTER IV

THE ORATOR IN ACTION

(NOTE—The following articles deal with the romance and technique of oratory with particular reference to individuals typifying the methods employed in different nations and ages.)

A HAZARDOUS CALLING

THE "old" oratory—that of forced metaphors, mock chivalry, half-day speeches and pompous quotations in Latin and Greek—is gone. If any tears are to be shed over its passing, they should be tears of thankfulness.

In reality it was not the old oratory that brought the most subtle of the fine arts into disrepute. It was the intermediate oratory, as practiced by men who lacked the power to imitate their predecessors in the great art and had not the imagination to see that the function of the orator in the late nineteenth and early twentieth century was totally different from that of the orator of the eighteenth, or even the first century.

The early orators were the heirs to the tasks and talents of the minstrels. They were newspaper, prophet, seer, public conscience, prosecuting attorney, economist and poet all rolled into one. Naturally, it took more than ten minutes for them to "strut their stuff" when they began unrolling. For instance, to refute an opponent it was not enough to refer to his remarks "as reported in the newspapers." There being no newspapers and hence no background of general information, it was necessary to repeat verbatim large parts of what was to be refuted.

Furthermore, in many of their oratorical contests the ancients had their fortunes and their lives at stake.

When two orators competed on some serious issue the loser could not count on a lame-duck appointment which would compensate him for his defeat. In Greece defeat meant exile or death. The entire audience decided the issue. Therefore the orator built up his background for his argument carefully enough to reach all of his hearers. He also felt compelled to devote hours to purely local phases of the question, and often addressed various individuals by name. It was an extra-hazardous calling. Two of the greatest orators of all time, Demosthenes and Socrates, paid for their words with their lives.

Turning to Rome, we find additional proof of the price of eloquence. Take the last act in the oratorical contest between Mark Antony and Cicero. Antony, after Cæsar's death, tried his voice at stirring up the people. Cicero took the opposite side. Unable to outspoke Cicero, Antony put his troops upon him. He cut off Cicero's hands and sent them to some of his friends. To his wife he sent Cicero's head, and that lady won a strange immortality by sticking a needle through the great orator's tongue.

ENTER THE NEWSPAPER

Very broadly speaking, oratory was a lost art from the murder of Cicero to the rise of Patrick Henry. Such a sweeping statement disregards Savonarola, Peter the Hermit, Luther and a number of others who effectively raised their voices during the Dark Ages and in that stupendously stimulating period in which the Renaissance came into bloom. It even passes over some very effective speakers in English development.

Printing and the revival of oratory came upon the modern world at about the same time. Oratory reached its second peak in the Civil War period. The newspapers came into their own about a fourth of a century later.

In the revival of oratory the orators took up the old tasks of the Greek and Roman orators—teacher, statistician, rhapsodist and prophet. But the printing press, widening and deepening general knowledge, soon began

to narrow the rôle of the public speaker. It instructed and entertained the public more effectively than the orators did.

Furthermore, in the period following the Civil War oratory was handicapped by a perfect swarm of classical-minded men trying to interpret the modern world to a public which had a totally different outlook on life. The orators were trying to imitate the Greeks, but they forgot that the Greeks did not imitate—they created. Indeed, their very name, the Hellenes, means “the self-starters.”

The newspapers doomed the second-hand oratory by faithfully reproducing it. All of its artificiality and remoteness from life stood out unmistakably in cold type.

Having almost killed oratory, the newspapers are now seeking to revive it. Why? Because it is still one of the most valuable of the arts and is of the very bone and sinew of freedom and justice. Where oratory is for any long period of time either suppressed or neglected liberty and order are in danger.

And what of the modern orator? Is he to be long-winded, statistical, freighted with precedents? He will imitate the ancients in one thing only—fervent interpretation of his own age in the language of that age.

These national oratorical contests, placing emphasis as they do on brevity and moving power, should go a long way toward readapting oratory to the life of today. And oratory, it cannot be insisted upon too often, is not a matter of moving the arms, or the legs, or the lips, or even the eyebrows, but of moving the audience.

A TIP FROM HELLAS

It was not by accident that Alderman began his oration on Wilson with a reference to Pericles. Oratory itself, as a distinct art, began with that gifted Hellene.

In his oration on the causes of Athenian greatness he gives, in a few sentences, a stronger interpretation of Greek civilization than can be found in as many chapters in any modern book on the subject.

Simple, yet luminous language; full of meaning, yet singing itself along. What could be more charming than his eulogy of tolerance—"not angry with a neighbor for following the bent of his own humor," etc.

"We are happy in a form of government which cannot envy the laws of our neighbors—for it hath served as a model to others, but is original at Athens. And this form of government, as committed not to the few, but to the whole body of the people, is called a democracy. How different, soever, in a private capacity, we all enjoy the same general quality our laws are fitted to preserve; and superior honors just as we excel. The public administration is not confined to a particular family, but is attainable only by merit. Poverty is not a hindrance, since whoever is able to serve his country meets with no obstacle to preferment from his first obscurity.

"The offices of the state we go through without obstructions from one another; and live together in the mutual endearments of private life without suspicions; not angry with a neighbor for following the bent of his own humor, not putting on over his pleasure that countenance of discontent which pains, though it cannot punish. Thus in private life we converse without diffidence or damage, while we dare not on any account offend against the public, through the reverence we bear to the magistrates and the laws, chiefly to those enacted for redress of the injured, and to those unwritten, a breach of which is thought a disgrace.

"Our laws have further provided for the mind most frequent intermissions of care by the appointment of public recreations and sacrifices throughout the year, elegantly performed with a peculiar pomp, the daily delight of which is a charm that puts melancholy to flight. The grandeur of this our Athens causeth the produce of the whole earth to be imported here, by which we reap a familiar enjoyment, not more of the delicacies of our own growth than those of other nations."

The following from Demosthenes pictures the end of the "golden age" of Pericles. It is a marvelous ex-

ample of building up a climax along dual lines—carrying the sting in each sentence over into the last word, and at the same time making all the sentences lead up to the central thought (not personal, but universal) that “freedom and independence have been annihilated.”

“But why do I censure him for this, when, with calumny far more shocking, has he assailed me? He that charges me with Philippizing—O Heaven and Earth!—what would he not say? By Hercules and the gods! If one had honestly to inquire, discarding all expressions of spite and falsity, who the persons really are, to whom the blame of what has happened may by common consent fairly be thrown, it would be found that they are persons in the various states like Æschines, not like me—persons who, while Philip’s power was feeble and exceedingly small, and we were speedily warning and exhorting and giving salutary counsel, sacrificed general interests for the sake of selfish lucre, deceiving and corrupting their respective countrymen, until they made them slaves. * * *

“But the day will not last me to recount the names of all the traitors. All of these, O Athenians, are men of the same politics in their own countries as this party among you—profligates and parasites and miscreants, who have each of them crippled their fatherlands; toasted away their liberty, first to Philip and last to Alexander; who measure happiness by their belly and all that is base, while freedom and independence, which the Greeks of olden time regarded as the test and standard of well-being, have been annihilated.”

INDIAN ORATORS

The Indians produced a number of superb orators. Their speeches are characterized by short sentences and tremendous dramatic power.

Here is Logan’s speech, delivered in 1774, on the murder of his family:

“I appeal to any white man to say if ever he entered

Logan's cabin hungry, and he gave him not meat; if ever he came cold and naked, and he clothed him not. During the course of the last long and bloody war Logan remained idle in his camp, an advocate of peace. Such was my love for the whites that my countrymen pointed as I passed and said: 'Logan is the friend of the white man.'

"I had often thought to have lived with you, but for the injuries of one man. Colonial Cresap, the last Spring, in cold blood, and unprovoked, murdered all the relations of Logan, not even sparing my women and children.

"There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it. I have killed many. I have fully glutted my vengeance. For my country, I rejoice at the promise of peace; but do not harbor a thought that mine is a joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan? Not one."

Weatherford, after his defeat at the Great Bend of the Tallapoosa in 1814, addressed General Jackson as follows:

"I am in your power; do with me as you please. I am a soldier, and have done the white people all the harm I could; I have fought them, and fought them bravely. If I had an army I would yet fight and contend to the last; but I have none; my people are gone. I can do no more than weep over the misfortunes of my nation.

"Once I could animate my warriors to battle; but I cannot animate the dead. My warriors can no longer hear my voice; their bones are at Talladega, Hallushatches, Emuckfaw and Tohopeka. I have not surrendered myself thoughtlessly. While there were chances of success I never left my post, nor supplicated peace; but my people are now gone and I ask it for my nation and for myself.

"On the miseries and misfortunes brought on my country I look back with deepest sorrow, and I wish to avert still greater calamities. If I had been left to

contend with the Georgia army alone, I would have raised my corn on one bank of the river and fought them on the other; but your people have destroyed my nation.

"You are a brave man; I rely on your generosity. You will exact no terms of conquered people but such as they should accede to; whatever they may be, it would be madness and folly to oppose. If they are opposed, you will find me among the sternest enforcers of obedience. Those who would still hold out can only be influenced by a mean spirit of revenge, and to those they must not, and shall not, sacrifice the last remnant of their country."

BRITISH ORATORS

The greatest of English orators was an Irishman. It is unfortunate that parts of Burke's speech on the French Revolution have been reprinted so often as to become almost commonplace. Nevertheless, it still is delightful and profitable to revert to him. Note the lightness and grace, coupled with depth of thought, in the following:

"It is now sixteen or seventeen years since I saw the Queen of France, then the Dauphiness, at Versailles, and surely never lighted on this orb, which she hardly seemed to touch, a more delightful vision. . . .

"But the age of chivalry is gone; that of sophisters, economists and calculators has succeeded, and the glory of Europe is extinguished forever. Never, never more shall we behold that generous loyalty to rank and sex, that proud submission, that dignified obedience, that subordination of the heart, which kept alive, even in servitude itself, the spirit of an exalted freedom!

"The unbought grace of life, the cheap defense of nations, the nurse of manly sentiment and heroic enterprise is gone. It is gone, that sensibility of principle which felt a stain like a wound, which inspired courage while it mitigated ferocity, which ennobled whatever it touched, and under which vice itself lost half its evil by losing all its grossness."

Pitt, the elder, was of the hammer and tongs type. This is from the Wilkes case:

"There is one plain maxim to which I have adhered through life; that in every question in which my liberty and my property were concerned I should consult and be determined by the dictates of common sense. I confess that I am prone to distrust the refinements of learning, because I have seen the ablest and most learned men equally liable to deceive themselves and to mislead others. The consideration of human nature would be lamentable indeed, if nothing less than the greatest learning and talents, which fall to the share of so small a number of men, were to suffice to direct our judgment. . . .

"Unlimited power is apt to corrupt the minds of those who possess it; and this I know, that where law ends, tyranny begins."

Lord Chesterfield, in addition to writing gentlemanly precepts for a son who remained a boor to the last, went in for statecraft. This is what the man whose name is usually associated with good living, said against the Gin Act:

"This bill, therefore, appears to be designed only to thin the ranks of mankind, and to disburden the world of the multitudes that inhabit it; and is perhaps the strongest proof of political sagacity that our ministers have yet exhibited.

"They all know that they are universally detested, and that whenever a Briton is destroyed they are freed from an enemy. They therefore have opened the flood gates of gin upon the nation, that, when it is less numerous, it may be more easily governed."

FRENCH ORATORS

Mirabeau was one of the world's great orators, as well as one of the most dazzling figures in the period of the French Revolution. The French orators were brief-

lived as well as brief in their utterances. Mirabeau reflects that in his nervous sentences, in which the point of interest shifts from his personal fortune to the eternal forces behind the universe.

On being suspected of being in alliance with the court, Mirabeau shouted before the assembly :

"And me, too—me, but the other day, they would have borne in triumph; and now they cry in the streets: 'The great treason of the Count of Mirabeau!' I needed not this lesson to teach me how short the distance from the Capitol to the Tarpeian Rock!

"But the man who battles for reason, for country, does not so easily admit that he is vanquished. He has the consciousness that he deserves well of that country, and, above all, that he is well able to serve her; he disdains a vain celebrity, but prizes true glory above the successes of the day; he would speak the truth, and labor for the public weal independently of the fluctuations of popular opinion, such a man carries in his own breast the recompense of his services, the solace of his pains, the reward of his dangers.

"The harvest he looks for—the destiny, the only destiny, to which he aspires—is that of his good name, and for that he is content to trust to time—to time, that incorruptible judge who dispenses justice to all."

Carnot analyzed the American system of government and showed himself to be a prophet as well in opposing, in these words, making Napoleon consul for life :

"It is not from the character of their government that great republics have lacked stability; it is because, having been born in the breasts of storms, it is always in a state of exaltation that they are established. Only one was the labor of philosophy, organized calmly. That republic, the United States of America, full of wisdom and of strength, exhibits this phenomenon, and each day their prosperity shows an increase which astonishes other nations. * * *

"Now, in the case of France, it is hoped, by raising this new dynasty, to hasten the period of general peace.

Will it not rather be a new obstacle? Will the other great powers assent to this new title? And if they do not, do we take up arms to constrain them? Having sunk the title of first consul in that of emperor, will he be content to remain first consul to the rest of Europe while he is emperor only to Frenchmen? * * *

"It is against arbitrary power itself that I appeal, and not against those in whose hands it may reside. Has liberty, then, been shown to man that he shall never enjoy it? And nature, which has made liberty such a pressing need to us, does she really desire to betray our confidence? No! I shall never believe that this good, so universally preferred to all others—without which all others are nothing—is a simple illusion. My heart tells me that liberty is possible, that its régime is easier and more stable than any arbitrary government, than any oligarchy."

AMERICAN TYPES

The following examples show various American orators, indulging in invective, exhortation and prophecy, with logic deftly interlaced.

The first example shows Webster, in the Dorr case, making abstract principles at once beautiful and simple:

"Our American mode of government does not draw any power from tumultuous assemblages. If anything is established in that way, it is deceptive.

"It is said by opposing counsel that the people can get together, call themselves so many thousands, and establish whatever government they please. But others must have that same right. We have then a stormy South American liberty, supported by arms today and crushed by arms tomorrow. Our theory places a beautiful face on liberty, and makes it powerful for good, producing no tumults."

Calhoun, denouncing Jackson in the debate on the expunging resolution:

"No one can possibly be insensible that the measure

proposed is a violation of the Constitution. The Constitution requires the Senate to keep a journal; this resolution goes to expunge the journal. If you may expunge a part you may expunge the whole, and if it is expunged, how is it kept? The Constitution says the journal shall be kept; this resolution says it shall be destroyed——.

"But why do I waste breath? I know it is all utterly vain. The day is gone, night approaches, and night is suitable to the dark deed we meditate. There is a sort of destiny in this thing. Other violations of the Constitution filled my bosom with indignation, but this fills it only with grief. Others were done in the heat of partisanship power, as it were, compelled to support itself by seizing upon new instruments of influence and patronage. In some instances the President might be pardoned for his course on the old plea of tyrants—the plea of necessity. But here there can be no such apology. Here no necessity can so much as be presented. This act originates in pure, unmixed, personal idolatry. Such an act could never have been consummated by a Roman Senate until the time of Caligula and Nero."

Emerson, speaking on the uses of great men:

"Thus we enter that great gymnasium of the mind and learn to choose men by their truest marks, taught with Plato 'to choose those who can, without aid from the eyes, or any other sense, proceed to truth and to being.'

"Foremost among these activities are the somersaults, spells and resurrections wrought by the imagination.

"When this wakes, a man seems to multiply ten times or a thousand times his force. It opens the delicious sense of indeterminate size and inspires an audacious mental habit. We are as elastic as the gas of gunpowder, and a sentence or a word sets free our fancy, and instantly our heads are bathed with galaxies, and our feet tread the floor of the pit.

"And this benefit is real, for we are entitled to these

enlargements, and, once having passed the bounds, shall never again be quite the miserable pedants we were."

Samuel Adams, at Philadelphia:

"Go on, then, in your generous enterprise, with gratitude to heaven for past success and confidence of it in the future. For my own part I ask no greater blessing than to share with you the common danger and the common glory. If I have a wish dearer to my soul than that my ashes may be mingled with those of Warren and Montgomery, it is that these American states may never cease to be free and independent."

Grady, at Boston:

"Our history has been a constant and expanding miracle from Plymouth Rock and Jamestown all the way—aye, even when from the hour when, upon the voiceless and trackless ocean, a new world rose to the sight of the inspired sailor. As we approach the fourth centennial of that stupendous day, let us resolve to crown the miracles of our past with the spectacle of a republic compact, united, indissoluble, and in the bonds of love—the wounds of war healed in every heart as on every hill—serene and resplendent at the summit of human achievement and earthly glory—blazing out the path and making clear the way up which all the nations of the earth must come in God's appointed time!"

LINCOLN'S TECHNIQUE

Consciously or otherwise, Lincoln employed musical principles in constructing his speeches. This applies not merely to his use of pleasing words and his blending of them into harmonious sentences. He was far subtler than just that. He used the principle of counterpoint in the sentence itself and in the logical scheme into which the sentence fitted. Counterpoint is a trick whereby a musician develops a theme by seemingly departing from it—and often by all but wiping it out with conflicting, or, at least, competing, notes. Lincoln's oratorical technique at its height was of that type.

Take his Gettysburg address. Its theme, of course, is "dedication." Everyone knew just how such a theme should be treated. Lincoln's predecessor on that day's program struggled with it for an ornate hour—"dedication," "dedication" and more "dedication." Lincoln did just the opposite. He stated the purpose of the gathering, and then promptly showed it to be a futile and conceited mistake. They had come to dedicate ground which they had no right to dedicate, which the heroic dead had, indeed, already dedicated. Then the stupendous and challenging thought—but they could dedicate themselves!

Likewise, in his second inaugural we find Lincoln going straightest to his goal when he seems most to be wandering away from it—building up his own cause by the hazardous expedient of finding some justification for his opponent's stand.

His theme is "the task must be finished," yet he begins by looking backward. He shows slavery to have been the central cause of the war, and then calmly adds that the struggle continues after its cause has ceased. He apparently forgets the slavery issue and the war itself as he goes off upon those unfathomable subjects of prayer and fate. Then the argument whips back with vastly augmented force—it is God's task, and so it must be completed.

Finally comes the real point in all these references to God and prayer and things divine. If the cause is God's cause, then it should be finished up in a worthy manner—i.e., with charity, forgiveness, mercy and a lofty determination to do justly by our own sufferers and to be magnanimous toward the enemy as a means toward lasting peace.

Lincoln was the ablest exponent of counterpoint in oratory, and almost the only one among the great speakers. Most of them moved in straight and thrilling sentences to their goal. He was unique in knowing intuitively (for it is largely a matter of the heart) just how "by indirection to find direction out."

PATRICK HENRY

As a boy Lincoln did his thinking on his stomach, resting his head on his arm as he paused in his reading upon the floor. Patrick Henry preferred to do his upon his back, out of doors, and gazing up at treetops and hurrying clouds. Some biographers, while praising Lincoln for his perseverance, have charged Henry with being merely indolent. It is a small matter just how they went about thinking, so long as they thought. However, it shows the mistake Henry made in being born in a section which produced so many men who had all the attributes of immorality except a press agent.

An amazing individual—that Henry. He extemporized everything. He always began by putting his worst foot foremost. And yet! Well, he was by all odds the greatest orator that ever used the English tongue. In addition, he was one of the most courageous.

He studied law six weeks, and then sought admission to the most brilliant bar in the colonies. He wrote out none of his speeches, but delivered many of them so effectively that his hearers could, immediately afterward, reconstruct them from memory. He was awkward and uncouth, but could excel the most polished men of his day.

What was his speaking technique? He relied on himself to transform himself. He had a way of relaxing himself and allowing his subconscious powers to sweep him along to tremendous heights of fervor and eloquence. He could not always call up this power at just the exact moment of opening his speech. Indeed, he seemed to prefer to have it rush over him after he had made a rather commonplace start upon his address. But he unquestionably had the gift (as did Napoleon, Socrates, Paul, Stonewall Jackson and a number of other geniuses who otherwise had nothing in common) of putting himself into a kind of trance, or state of relaxation, in which his intellectual and emotional processes outstripped those of his contemporaries.

He went through one of these transformations in his stamp-act speech. It was even better illustrated in his "liberty-or-death" speech. We know, for instance, that prior to that address he spent more than a day in tremendous agitation and inward unrest. He felt that he must say something, but made no effort to write out his thoughts. A few hours before the meeting he became almost sick, and then a weird calmness came over him and he remained as in a trance.

When he began his speech he was halting, almost apologetic, decidedly ill at ease. Suddenly the transformation came—lighting him up, and a whole continent with him!

A baffling man, truly. He was sincere, fearless, far-seeing. That we know. We also know that he got a strange light into his eyes when he spoke, and that men like Washington and Jefferson and Wythe were carried away by him. He used gestures sparingly, and was at the same time overwhelmingly dynamic.

It is impossible to explain him—or to explain him away.

WENDELL PHILLIPS

Wendell Phillips, in the following picturization of the power of Daniel O'Connell's eloquence, gives a running estimate of the strongest points in the methods of half a dozen able speakers of modern times, and in so doing gives us a glimpse of his own terse and effective use of words:

"I do not think I exaggerate when I say that never since God made Demosthenes has He made a man better fitted for a great work than Daniel O'Connell.

"You may say that I am partial to my hero, but John Randolph of Roanoke, who hated an Irishman almost as much as he did a Yankee, when he got to London and heard O'Connell, the old slave-holder threw up his hands and exclaimed: 'This is the man, those are the lips, the

most eloquent that speak English in my day,' and I think he was right.

"Webster could address a bench of judges; Everett could charm a college; Choate could delude a jury; Clay could magnetize a Senate; and Tom Corwin could hold the mob in his right hand; but no one of these men could do more than that one thing. The wonder about O'Connell was that he could outtalk Corwin, he could charm a college better than Everett, and leave Clay himself far behind in magnetizing a Senate.

"It has been my privilege to have heard all the great orators of America who have become singularly famed about the world's circumference. I know what was the majesty of Webster; I know what it was to melt under the magnetism of Henry Clay; I have seen eloquence in the iron logic of Calhoun; but O'Connell was Webster, Clay and Calhoun in one. Before the courts, logic; at the bar of the Senate, unanswerable and dignified; on the platform grace, wit and pathos; before the masses, a whole man. Emerson says there is no true eloquence unless there is a man behind the speech. Daniel O'Connell was listened to because all England and Ireland knew that there was a man behind the speech—one who could be neither bought, bullied nor cheated."

CHAPTER V

THE NATIONAL ORATORICAL CONTEST

AND

THE INTERNATIONAL ORATORICAL CONTEST

THE National Oratorical Contest originated in California, the experimental contest being conducted by *The Los Angeles Times* in the Spring of 1923. In 1924 the contest was carried on upon a national scale under the auspices of twenty-odd metropolitan newspapers, Randolph Leigh being the organizer and director of the undertaking in its national phases as he had been in its experimental stage in California. At the request of educators as well as of numerous civic and patriotic organizations, including the American Bar Association, the Daughters of the American Revolution and the Sons of the American Revolution, the newspapers decided to continue the contest, which in 1925 was participated in by almost a million and a half secondary school pupils.

In the summer of 1925 the director of the National Oratorical Contest visited numerous foreign lands to organize an International Oratorical Contest along lines similar to those followed in the United States, with the necessary adaptations to conditions in other lands. The result was the first International Oratorical Contest, in which England, France, Canada, Mexico and the United States took part. This contest is so organized that the National Oratorical Contest in the United States, which was conducted for the third year in the Spring of 1926, leads into the international competition without any alteration in the national plan. The original object of

the National Oratorical Contest—"to increase interest in and respect for the Constitution of the United States"—has been adhered to strictly.

The objects of the International Oratorical Contest are:

First. To increase interest in and respect for the basic principles of government in each of the participating nations. In the United States, therefore, the contest has centered, as in previous years, around the Constitution of the United States.

Second. To promote a better understanding between nations by means of a frank and friendly exchange of national viewpoints.

Third. To stimulate scholastic enthusiasm for intellectual, as contrasted with purely athletic, pursuits.

Each national contest is conducted as a distinct and independent unit, in which the pupils in each nation discuss their own governmental institutions. The Director of the contest in the United States is also the International Director. The plan followed in the United States, while not absolutely duplicated in any other land, has been the general model for them all. In this plan the administrative unit is the territory of each newspaper sponsoring the contest, there being only one large newspaper sponsor in a "territory," which in some instances covers parts of several States, and in other instances only a part of one State. The rules of the contest, including the age limit, length of speeches, etc., are set forth in the next chapter.

The contest is financed and conducted by the newspapers upon a coöperative basis. Each newspaper conducts the contest in its own territory, providing a contest manager and offering substantial prizes in cash and scholarships. The High Schools within a given newspaper territory first select their representatives in public competitions. Thereafter these school champions meet the spokesmen for other schools. By this process of elimination (the teachers taking full charge of the judging within

the schools) the number of contestants in a particular newspaper territory is reduced to about seven. These seven compete in that newspaper's finals, the winner competing in one of the seven national semi-final meetings held in May of each year in seven widely separated cities. The winner in each of the seven simultaneously held national semi-final meetings automatically becomes entitled to a place in the national finals, which are held annually in Washington early in June. These seven national finalists compete among themselves for the national championship cup and title. However, all seven of them, regardless of which one wins the championship, are given a summer tour abroad with all expenses paid. The finalists of 1926 were taken through France, Italy, Switzerland, Holland, Belgium, Germany, England and Scotland, returning via Canada on September 14. The seven 1927 finalists will be given a trip of the same duration, though the itinerary will not be exactly the same.

The publishers' committee for the international phases of the contest follows: E. Hope Prince, *The Liverpool Post*, for England; Maurice Bunau-Varilla, *Le Matin* (Paris), for France; Main Johnson, *The Toronto Star*, for Canada; Miguel Lantz-Duret, *El Universal* (Mexico City) for Mexico; Frank B. Noyes, *The Washington Star*, for the United States.

The publishers' committee for the United States follows: Frank B. Noyes, *The Washington Star*; Adolph S. Ochs, *The New York Times*; Walter A. Strong, *The Chicago Daily News*; William L. McLean, Jr., *The Philadelphia Bulletin*; Frederick I. Thompson, *The Birmingham Age-Herald*; Irwin Kirkwood, *The Kansas City Star*; Harry Chandler, *The Los Angeles Times*.

The newspapers in the United States which have made the contests possible are: *New York Times*, *Pittsburgh Sun*, *Los Angeles Times*, *Chicago Daily News*, *Indianapolis News*, *Philadelphia Bulletin*, *Washington Star*, *Atlanta Constitution*, *Birmingham Age-Herald*, *Des Moines Capital*, *Montgomery Journal*, *Mobile News-Item*, *Kansas City Star*, *Mobile Register*, *Louisville Courier-*

Journal and Times, Oklahoma City Oklahoman, Chattanooga Times, Rochester Democrat and Chronicle, Hartford Courant, Seattle Times, New Orleans Item, St. Paul Pioneer Press, Nashville Tennessean, Syracuse Post-Standard, St. Louis Globe-Democrat, Detroit News, Buffalo Express, Portland Oregonian, San Francisco Chronicle and Winston-Salem Journal.

On October 15, 1926, the final meeting for the First International Oratorical Contest was held in Washington in the presence of an immense and distinguished audience. President Coolidge delivered an address of welcome, and diplomatic representatives of England, France, Canada and Mexico were on the stage.

In Chapter IX will be found the President's address on that occasion, as well as the orations of the international and national finalists, each group of contestants being arranged in the order in which they were placed by the judges.

At each of the national final meetings the judges have been members of the United States Supreme Court. The judges for the national finals of 1926 were Chief Justice Taft and Associate Justices Van Devanter, Sanford, Sutherland and Butler.

CHAPTER VI

RULES OF THE 1927

NATIONAL ORATORICAL CONTEST

AGE AND ELIGIBILITY

ANY bona fide secondary school pupil, under 19 years of age on February 1, 1927, is eligible. A pupil who has been graduated from a high school and is taking post-graduate work of any kind in the same or a similar institution is not a bona fide pupil in this use of the term, and is, therefore, ineligible, even though within the age limit. In the case of an educational institution offering collegiate as well as secondary courses, only those pupils in the grades paralleling the public high schools are eligible.

DISQUALIFICATION

If, for any reason, a contestant is disqualified or voluntarily withdraws from the contest after having progressed through one or more of its stages, his place is to be taken by the contestant adjudged next best to him in the last competition in which he participated prior to disqualification or withdrawal.

THE ORATIONS

The orations must be the original work of the students; their delivery must not consume more than ten minutes; and the treatment of the subjects must combine historical background with application to conditions of today.

The contest is based upon the Constitution of the United States and all subjects selected must deal with the Constitution, but wide latitude is given in the choice of subject so long as it conforms with the general requirement. By way of suggestion, the following subjects are proposed:

- The Meaning of the Constitution Today.
- America's Contribution to Constitutional Government.
- Washington's Contribution to the Constitution.
- Hamilton's Contribution to the Constitution.
- Franklin's Contribution to the Constitution.
- Jefferson's Contribution to the Constitution.
- Marshall's Contribution to the Constitution.
- Madison's Contribution to the Constitution.
- Webster's Contribution to the Constitution.
- Lincoln's Contribution to the Constitution.

In orations that deal biographically with the men included in the list above, it is expected that the speakers will show how the influence of the men discussed survives today. In orations that deal with the general subject of the Constitution, it is expected that the speaker will discuss the significance of the Constitutional provision covering the subject chosen—the citizen's duty to vote, for example—and show its application today. It is again emphasized that the contest revolves about the Constitution and that it is designed to increase respect for and interest in American institutions.

PRIZES

TOUR OF EUROPE FOR EACH OF THE SEVEN NATIONAL FINALISTS

The itinerary for this educational tour during the Summer of 1927 will be announced later. It will cover about two and a half months. All expenses (exclusive of purely personal items, such as laundry, etc.) for the seven national finalists will be defrayed from the central fund of the contest.

Each national finalist will be required to obtain his own passport and to send it to the national headquarters of the contest. Thereafter all of the details of the tour from the American port of embarkation and back to that port (including visas of passports) will be taken care of by the national management at no expense to the seven designated American finalists. If a girl is among the national finalists, she will be accompanied throughout the trip by a suitable chaperon.

The national management assumes responsibility for no awards other than the traveling awards referred to above. Each newspaper is responsible for all traveling expenses *within the United States* of the champion of its own local territory, including traveling expenses to and from the port of embarkation in case its spokesman wins a place in the European tour. In addition, each newspaper offers such local prizes and awards as it thinks fit.

FINANCES

The contest is financed by the participating newspapers on a co-operative basis, the assessments being based upon the size of the newspaper, its circulation, its territory, etc.

JUDGING STANDARDS

The judges are to confine themselves to passing upon the composition and delivery of the orations—allowing 50 per cent for each. In arriving at their evaluations of each speaker, the judges are not to study the orations in written form, but are to pass upon both composition and delivery as the speeches are delivered, being mindful of the fact that this is an oratorical and not an essay contest. Only the most competent judges should be selected. They should be carefully instructed as to their duties, and thereafter no question should be asked as to their methods of arriving at the final ratings of the speakers. Under no circumstances should their ballots be shown

to persons other than contest officials. If any person is displeased with a decision, he should be invited to submit a written statement of his position, but should not be permitted to examine the ballots.

NO CONSULTATION

The judges are to prepare their ratings of the speakers in the same seats which they occupied during the contest, are to sign their ballots and give them to designated ushers, who are to place them in the hands of the contest manager. The contest manager totals the ballots and gives the chairman a written notification of the results. The judges are not to consult during the contest, nor prior to filling out their ballots. While attaching equal importance to composition and delivery in evaluating the different contestants, the judges are not to indicate on their ballots what they allowed on each of those points. On the contrary, the judges are to simply rate the speakers by giving them numbers to indicate their relative standings—as first, fifth, second, etc., and are to place no other marks or ratings on their ballots.

JUDGING TECHNIQUE

The low-point-total system of judging will be used throughout. Under this system each judge will rate every speaker. It should be clearly understood that they are not to rate the speakers according to some abstract ideal of the perfect orator, indicated by the mark or grade of 100, but simply according to the relative merits of the speakers on that particular program. They are to rate the speakers as one, two, three, four, five (if there are only five speakers), but not to grade them.

ONLY ONE BALLOT

In the 1927 contest the one-ballot plan will be adhered to strictly. Incidentally the low-point-total system is the

only one which can be used with any degree of accuracy and satisfaction when there are five, six or seven speakers to be judged. Under the majority-vote method it frequently happens that there are as many different selections for first place as there are judges. Without the low-point-total system to mirror the composite mind of the judges the selection of a winner would be impossible, unless a number of the judges would compromise, which would make the issue depend not on the skill of the contestants, but on the caucusing ability of the judges.

A BOX SCORE

The following composite ballot illustrates the workings of the low-point-total system in a case where there are five speakers and three judges:

	Smith	Jones	Sims	Hill	Brown
Judge A.....	4	5	1	3	2
Judge B.....	5	4	1	2	3
Judge C.....	3	4	5	2	1
Totals.....	12	13	7	7	6

It is noteworthy that in this imaginary case Brown, though rated first by only one judge, is the winner over Sims, who got two out of three firsts. Sims and Hill appear to be tied for second place. It is only an apparent tie, however. If the ballots were resubmitted to the judges with instructions to confine their ratings to Sims and Hill, there would be no doubt of the outcome, for two of them have already ranked Sims ahead of Hill. The score would then be: Sims, one, plus one, plus two; Hill, two, plus two, plus one. Sims, 4; Hill, 5; showing that Sims was really the composite second choice on the original and only ballot. With the low-point-total system and an odd number of judges, a permanent tie is virtually impossible. Similarly only one ballot is necessary if it is clearly understood that the system is being used in that logical fashion.

A SPECIAL PROVISION

There is a remote possibility of a permanent, unbreakable tie—that is, a tie which cannot be broken by dropping the non-tied contestants and retabulating the relative ratings of those tied without resubmitting the question to the judges. The chance of such a development is, however, extremely slight. But even if a permanent tie should develop, the ballots are not to be resubmitted to the judges. On the contrary, the judges are, in such a case, to be instructed to consult one another and to select by consultation the winner and alternate from among those tied. A permanent tie can never occur in a case where the number of contestants tied is not identical with the number of judges. Contestants and contest managers are warned against mistaking a breakable for an unbreakable tie.

APPLAUSE

Chairmen of meetings are to be instructed to make every effort to prevent the interruption of speakers with applause. No time will be taken out for the halting of a contestant in this manner, unless the chairman attributes it to malice. The reason for this provision is that partisans often attempt to bally-hoo a contestant into favor with the judges, to the detriment of other contestants who have only their own merit on which to rely. Furthermore, such interruptions interfere with the broadcasting, which is an important feature of the program.

FINAL AUTHORITY

The contest is organized on the theory that each newspaper is to conduct its own local competitions, and is to be the final authority on all issues raised therein. In that sphere the national management offers only advice and suggestions. When, however, a newspaper presents its representative for outside contests, that representative must comply with all of the general regulations of the con-

test, without regard to any exceptions made in his favor in the local field. The judges of the zone meetings and of the national final meeting, as well as other officials connected with them, are selected by the national management on behalf of all the newspapers concerned.

FORMAL ATTIRE

At the newspaper finals, the national semi-finals and the national finals, contestants are requested, though not required, to wear formal evening attire for the sake of uniformity (tuxedos for the boys). This will not be expected of contestants during the earlier stages of the contest.

CHAPTER VII

SUGGESTIONS TO CONTESTANTS

SELECTING A SUBJECT

THE new subject added to the list for the 1927 National Oratorical Contest ("My State's Contribution To Our Constitutional System") should appeal strongly to pupils in all sections of the country, and its development should be both interesting and worthwhile. There are, altogether, eleven subjects, broad enough in scope to cover practically the entire field of governmental principles and developments in this country. The orations may be on the Constitution, or on the relationship thereto of Washington, Franklin, Hamilton, Jefferson, Marshall, Madison, Webster or Lincoln. They may also deal with "America's Contribution to Constitutional Government," or with the State topic given above.

At first glance it seems easiest to deal with the simple topic of the Constitution or with America's contribution to constitutional government. On the other hand, those subjects lack many of the intensely emotional elements to be found in a biographical treatment. The 1926 contest was noteworthy for the increase in the use of the biographical subjects. An even more extensive use of these themes would seem to be worth while.

For sheer dramatic appeal, for instance, what can be stronger than the story of the career of Hamilton—at eleven a grocer's clerk in the Indies, with the stigma of illegitimacy upon him; at seventeen so magnetic a speaker that (though unknown) he could sweep a New York audience into revolt; at twenty-two confidential agent to Washington; at thirty-five recognized on two continents

as one of the greatest intellects of his time; at forty-seven slain in a political duel.

Or Jefferson—writing the Declaration of Independence with a price upon his head; framing the statute for religious freedom in an age of almost medieval bigotry; founding the University of Virginia on lines which have affected the whole course of modern education. Nor was that all. He was a scientist, architect, writer, lawyer, farmer, inventor, philosopher and something of a politician as well. Truly the most versatile and seductive intellect that ever rose to the presidency.

Or Franklin—"printer, publisher, politician, philosopher," and a great deal more besides.

And Marshall—that most human of jurists; cousin and opponent of Jefferson, a fascinating companion, yet strong willed enough to stabilize a nation.

And Washington—the great driving personality in a new world order.

Then those widely differing personalities—Madison, prim, yet powerful; Webster, thunderous and thrilling, even to this day; and Lincoln, the simplest and one of the most beloved figures in American history.

The oratorical possibilities in all of these subjects are tremendous. It may be, of course, that you prefer the simple theme of all the Constitution. But, at least, give careful thought to all of these subjects.

Attention is called to the paragraph immediately following the subject list in Chapter VI, in which greater latitude in subject and treatment is given than in the preceding contests.

Above all, select one that appeals to you, not one which you think might appeal to others. If you believe in it strongly enough, you can bring your audience to your viewpoint. One is always a majority in oratory, provided that one is persuasive enough.

GATHERING MATERIAL

Having decided upon an oration subject, the contestant should go systematically about the task of gathering

material and utilizing it. Of course, the school and public libraries should be consulted. The encyclopedias will furnish a concise working background of information. In addition, read one or two good and reasonably brief books through carefully. Use the lengthy books mainly for reference, remembering that an intelligent use of the index will save time and increase the amount of information actually retained. As a practical proposition, it is well to avoid trying to gather too much data for your oration. You should determine the particular line along which you are to construct your speech, and not be led aside by extraneous ideas, even though they may have their appeal.

The ten-minute time limit upon the orations makes it imperative that everything be concentrated upon giving a single and vivid impression in your address. Under that rigorous rule of brevity, Lincoln, rather than Burke, should be your oratorical model. That is not equivalent to saying that Burke was not one of the greatest orators, but simply that his particular technique is totally unfitted to the specific problem before you.

Guard against too many quotations, particularly long ones. When you quote, give credit for the quotation. Your judges will be well informed on the subjects and the chances are that they will recognize almost any quotation you use, and if they observe that you failed to give proper credit they will almost certainly discount you heavily.

Do not use the most obvious quotations. At one meeting last Spring three out of seven speakers recited the entire opening paragraph to the Constitution. It is unquestionably masterly English and full of meaning, but it is apt to prove a fatal gem if you are the last of a number of speakers to hold it up for the admiration of the audience.

There is another disadvantage in using quotations. The human voice has a peculiar way of betraying its master when he shifts from the utterance of his own thoughts to those of another. Declamation never has

the same force and fervor as the expression of individual conviction.

Gather your own materials, then, in your own way, shape them in your own language and make up in sincerity anything that you may lack in polish.

LEARN THE RULES

The rewards held out to you in the contest are unusual enough to make it worth while to familiarize yourself with the rules of the project.

There are eleven specified subjects, and there is a time limit of ten minutes on the delivery of the orations. Special attention should be given to the time limit.

It is not enough for you to have an oration which can sometimes be delivered within the specified time limit. It must be one that can be kept within that limit whenever you are in competition.

The only way to be certain on that point is to give yourself a safe margin, say twenty or thirty seconds. Remember that your speech will lose its effect if you appear to hurry through it, and you will invariably hurry in the crucial tests if you are not absolutely positive that you have time enough.

In case a speaker exceeds the allotted time for delivery, he is not to be disqualified but is to be stopped by the presiding officer and judged by his performance up to that moment.

Any bona-fide secondary school pupil under nineteen years of age on February 1, 1927, is eligible to participate in the contest. To be even more specific, only pupils born since February 1, 1908, are eligible. A pupil who has been graduated from a high school and is taking post-graduate work in that or a similar institution is not a bona-fide pupil in this use of the term, and is, therefore, not eligible, even though within the age limit. In the case of an educational institution offering collegiate, as well as secondary courses, only those pupils in the grades paralleling the public high schools are eligible.

The fact that a contestant participated in the contest in previous years does not debar him or her from taking part in the 1927 contest, unless he or she was one of the national finalists.

If for any reason a contestant is disqualified or withdraws from the contest after having progressed through one or more of its stages, his place is to be taken by the contestant adjudged next best to him in the last competition in which he participated prior to his withdrawal or disqualification. This applies through the national finals. Each national finalist is entitled to the trip abroad, but the award is not a transferable one.

Particular attention is called to the rules concerning the judging system and concerning the fact that each newspaper is the final authority in all issues arising within its own contest.

SHOW SPORTSMANSHIP

Contestants, having mastered the rules of the contest, should show sportsmanship in abiding by them without quibbling.

One of the most important things to bear in mind in this connection is that the decision of the judges must be final.

The judges of the contests within the schools are selected by the school authorities. Those for the contests between schools are chosen by the newspapers and those for the national semi-finals and finals by the national management, with the advice and approval of the newspapers concerned.

In all cases great care will be taken to secure competent and reputable judges. The judges having been so chosen, there can be no appeal from their decisions. Furthermore, the ballots used by the judges in selecting the winners are not to be inspected by contestants.

In previous contests there have been very few cases in which an attempt was made to question the selections made by the judges. Almost all of these cases were due

to misunderstanding of the system of judging employed. Some, however, were due to out-and-out lack of good sportsmanship and a desire to win in any way that seemed possible.

Fortunately such instances have been rare and have received the support of only a small number of pupils and teachers.

In this connection, it must be borne in mind that in a contest of this character with many participants, the problem of selections becomes increasingly difficult as the movement draws to its climax. The better the contest, the closer the contestants will be to one another in their scores.

By all means get excited over the contest, but do not forget that you must play the game and stand by the results.

DO NOT OVERTRAIN

Many contestants hitherto have shown a tendency to overtrain for the contest. This is a particularly bad plan if resorted to early in the course of the work.

It is highly important to thoroughly master your oration and to practice it so as to perfect yourself in the details of your delivery. But it is just as important not to do this to the point where you will go stale at it.

If you fall into the sing-song method of delivery as a result of repeating your speech too many times each day you will eventually find yourself unable to put the proper moving power into your words.

One of the national finalists in a previous contest made the mistake of overtraining, and the result was that two weeks before the Washington meeting he had to take to his bed. He reached the high-water mark of his speaking power at his district finals and had kept himself so long on edge for that event that thereafter he steadily lost ground, even though winning his way to the national finals. He was too anxious about himself and so cracked under the strain.

Take the middle course in this regard. Put everything you have into your speech whenever you are certain that you will need it to win. But do not drive yourself at full tilt without any regard for the necessity for it. Above all, do not strain your emotions and your voice by working too hard in your practice periods when nothing is at stake. When the time comes you can draw a part of your thrill from your audience—provided you still have a similar thrill within you to leap up to the occasion.

CHAPTER VIII

THE CONSTITUTION CLUB

THE finalists in the 1925 National Oratorical Contest, desiring to keep alive the friendships which have sprung up during their coming together, formed themselves into a society, known as the Constitution Club, to which, at the outset, only national finalists of each year were to be eligible. In June 1926, the finalists of 1924 and 1925, as well as those of 1926, being present, it was decided that the time had come to widen the scope of the club with a view to making it the means of promoting, by personal contact and individual work, the ideals of the contest upon the broadest possible lines.

It was therefore decided that:

(1) Membership in the Constitution Club be widened so as to include a substantial, though carefully selected, number of active pupils in each participating high school. It was felt that it would be best at the outset to limit the membership in any one school to not more than one percent of the total school enrollment.

(2) Non-finalist participants of the contests of 1924, 1925 and 1926, who have been graduated, are to be eligible also, though under an even stricter limitation as to numbers, so as to avoid making the organization top-heavy with graduates.

(3) A special effort be made to secure a suitable membership among participants in the contest in the colleges.

(4) A limited number of prominent citizens in various communities who have shown special interest in the contests be invited to accept honorary membership in the club.

(5) The finalists of 1926, working with the Director of the National Oratorical Contest, be empowered to act as an executive committee for 1927, to carry the plan into execution and to make the club a functioning reality.

The specific and practical objects of the club are:

(a) The promotion of friendship among its members.

(b) The advancement of the contests.

(c) The carrying over of theory into life by not only stimulating interest in the general subject of citizenship, but also by definitely taking up the task of seeing to it that, if of age, members vote, and that, in any event, they strive to impress in a strictly NON-PARTISAN way upon all citizens the importance of voting.

CHAPTER IX

ORATIONS OF INTERNATIONAL AND NATIONAL FINALISTS, TOGETHER WITH OFFICIAL ADDRESSES

PRESIDENT COOLIDGE'S ADDRESS AT INTERNATIONAL FINALS

THE National and International Oratorical Contests are held not so much for promoting the arts of oratory as for interesting young people in a study of the science of government, especially as exemplified in the institutions of their own countries. This patriotic purpose was originated and promoted by a group of newspapers in America, to which have been joined representatives of the press in England, France, Mexico and Canada. Three of the National Contests have already been held in our country, but this is the first International contest.

Because of my belief in the profound benefit of this movement, I have taken this opportunity again to give it my most sincere commendation. I wish to extend to all the participants in this contest the most cordial greeting of America, and to the representatives of the press who have associated themselves in making the plans and bearing the expenses of this enterprise I offer the assurance of my appreciation. The widespread interest that has been created is indicated by the participation of more than 2,500,000 students of the secondary schools of the five nations which are here represented, while more than 1,500 publications of various kinds have cooperated with the newspapers sponsoring and financing the contest by giving it publicity and encouragement.

This movement had its inception in a widespread desire to secure a broader knowledge on the part of the people of the fundamental principles of our Government, especially as exemplified in the American Constitution. It began to be apparent that in the estimation of all too many government was considered as mostly a method of restraint upon the people and a process by which unfair advantage, usually designated as privilege, accrued to wealth. Many people from foreign lands were crowding into our country who, while they were by no means the only source

of opinions of this character, yet because of their generations of experience with forms of government partaking largely of the nature of tyranny and relying on a constant exhibition of force and repression for their authority were a most fertile field in which to promote discontent with its danger of future violence and by reason of the traditions to which they were born were easily led to look with suspicion and distrust upon all political institutions. Also it had been a long time since we had had much public discussion and exposition of fundamental American principles. Such comment as was being made, being so largely made up of adverse criticism, was founded too much on misapprehension, so that our own people needed that enlightenment which comes from a candid investigation on the constructive and affirmative side of self-government under free institutions. It was confidently expected that such action would inform the people that this Government is their Government, that it exercises its authority as a result of the expression of their will, and that it is maintained for their benefit. It was further known that if study and consideration revealed defects or abuses, they would also reveal that the people have been provided by our Constitution itself with a means for its peaceful, orderly and legal revision and reform without resort to anything like violence or revolution. We have had our day in this Country of a resort to arms in order to defend our rights and insure our liberties, and out of that experience the Founding Fathers made wise provisions for enabling the people hereafter through the Courts to protect themselves against all encroachments upon their rights and through the ballot box against the evils of bad administration. We have gone so far as to undertake to furnish ample protection for the rights of the individual and of the minority, but always with the power of the majority to modify and change whenever it is convinced of the propriety of proceeding in that direction. Our Government is simply what the people through their duly constituted procedure sanction, ordain and establish.

The importance of a full and complete comprehension of these great outstanding facts in American life by all the people can not be too strongly stated or too often emphasized. While it is true that we live under a system of self-government, it is also true that self-government is still government. Nothing is better established than that human progress depends upon the maintenance of order and the guidance of conduct in accordance with fixed rules. As civilization advances and as human relationships thereby become more and more intricate, these rules become more and more complicated. It is for this reason that the multiplication of laws has become unavoidable. If they are wise and just, the fact that they are necessary is a sure index of progress. They provide the definition and the protection of all the rights and liberties of the citizen. They are the sole protection of the

weak against the strong. It is these conclusions that must inevitably follow the contemplation of the American system of government. To study it and comprehend it will be to cherish it and defend it.

Belief in our own form of government is not by any means to be considered a criticism of the institutions of other people. We think ours is best for us, while it is entirely probable that some other forms are better for others. Institutions are not handmade, they are not imposed—they are a growth, they are the achievement of the people themselves. A crude and barbarous people could not establish and maintain a free republic. Such people have always lived under some form of monarchy with very broad powers. In the course of their development those powers have been limited more and more. Some method of public expression through an assembly of the people evolving into a parliament has grown up until the final outcome is represented by a republic. All of these institutions have a historic background and a traditional support in the experience of the people. Some have reached one stage, some another. It is perfectly evident to the student that government is by no means so much a matter of theory and logic as it is a matter of custom and habit and a manifestation of the spirit of the nation. A people can not break with their past. The national development which is of any permanent worth is always slow and deliberate. Each people has to work out its own destiny. We could not superimpose our institutions upon other nations. The best service that we can render foreign countries in that direction is to leave them secure and undisturbed to develop their own institutions of freedom with such aid as we may mutually derive from the example of the mistakes and successes of each other. It will be a help to the youth of different nations to learn of the benefits which each is deriving from its own institutions.

The main object of all this effort in studying government is to promote good citizenship. For this purpose it is not necessary that all the people in the community have a profound knowledge of international law, deep learning upon constitutional matters and wide acquaintance with statutory enactments. It is necessary, however, that there should be an element who are proficient in those directions, and our youth ought to have sufficient knowledge of our institutions so that they will not be deceived by incorrect statements of facts and illogical arguments about them. While each of our citizens ought to have sufficient faith and knowledge to reinforce their belief in America, after all, good citizenship is not so much a matter of information as of disposition, not so much of the head as of the heart, not so much dependent upon knowledge as upon sentiment. Those who want to do right have little difficulty in finding out the right.

American citizenship is not something that is intricate, in-

volved and mysterious, beyond the comprehension of ordinary intelligence. Those who have had meagre opportunities oftentimes discharge their obligations to perfection, while those who seemingly have had every advantage accomplish nothing but failure. To provide for the economic well-being of our inhabitants, only three attributes, which are not beyond the reach of the average person, are necessary—honesty, industry and thrift. By devotion to these, people will in general be self-supporting and independent. This applies to the private affairs of our citizens, but of course under our institutions they are all charged with the performance of public functions. Some will be called on to hold office. But all our citizens of the requisite age and education are called on to vote. I wish especially to emphasize that. Whenever a choice is to be made in electing a public officer, all those who can qualify are under the most solemn and binding obligation to register their decision at the ballot box. To fail in that is to be disloyal to our whole system of self-government. On our theory that the people are sovereign, to neglect to vote is to abdicate. We do not pretend to rely for correct decisions on the judgment of the selfish and the interested few, but rather on the patriotic choice of the great body of candid and independent citizens. We rely on the expression of the impartial voters. A true election represents the untrammelled expression of their will. It is their voice that speaks with divine authority.

An imperative necessity makes another requirement of good citizenship to be obedience to law. This is the first requisite of all government that is worthy of the name. Observance of the law is the very essence of self-government. It is the main source of certainty in all social relationships. Without it all those elements would be lacking on which we are dependent for economic structure. The protection of property, the security of the person, would be gone. The entire basis for credit would be lacking. No standard of value for property could exist. Justice would vanish. The whole foundation of civilization would crumble. The protection of the weak would disappear. The sole reliance would be force. Might alone would rule. It is to rescue the people from these conditions that constitutions are adopted and statutes enacted. But all these will be of little avail unless there is fostered and nourished in the minds of our citizens a rugged respect for law and obedience to its decrees. These are some of the attributes which must characterize a self-supporting, self-governing and law-abiding nation. It is my own opinion that they will not be found except among a religious people.

I welcome the opportunity to join with you in a discussion of some of these principles which provide the foundations of the well-being of our Republic and the cordiality and friendliness of our relationship with other nations.

VICE-PRESIDENT DAWES' ADDRESS

(June 4, 1926)

THE third National Oratorical Contest, which takes place this evening, has in the space of three years grown from a local organization in southern California of 8,416 participants until this year nearly 2,000,000 of American youth have taken part. When we consider that 2,000,000 young people have entered a contest involving, not the survival of the fittest class, but the survival of the fittest one, it is evident that this evening we are present at an occasion entirely unique, the only similar occasions approaching it in degree being the two national contests which have preceded it.

To add to its great interest the seven young men and women are to speak to us tonight under circumstances which impel them to adopt the modern oratorical method. Nothing is more certain than that the changed conditions of modern life have profoundly affected the evolution of effective oratory the world over, and especially in our own country.

The great increase in the demands of an industrial civilization upon the time and attention of our people, the accumulation of wealth making possible most varied and numerous forms of entertainment and amusement, the fact that in the moving pictures, attended every night by millions of Americans, the appeal is chiefly to sentiment and emotion rather than to the higher mental qualities had already placed old-fashioned oratory at a disadvantage; but the field for it which had already narrowed has recently been almost obliterated by the radio.

The radio in recent years has interposed itself between the orator and our largest crowds—crowds which run into the millions in number, while the exceptional human voice, unaided by this device, can make itself heard at the best by only from 5,000 to 20,000 people. But a fact of immense significance is that each man of the larger number listening to an orator over the radio listens as an individual thinking man and not as one of an impressionable crowd. As scientists have pointed out, when a gathering of people addressed is in the physical presence of an orator and under the spell of his eloquence and personal magnetism the emotions can be so aroused as not only to interfere with individual mental activity, but at times absolutely to destroy it. The amalgamation of people into crowds seems to create a living organism possessing a definite character and definite mental attributes, one of which is the almost total lack of reasoning power.

We all know what mob psychology means, and how, under the influence of strong leadership and effective oratory the mob may be led to commit deeds indescribably more base than any individual therein by himself could be persuaded to do; and, on the

other hand, may be led to acts of heroism and self-sacrifice to which, again, no individual member of it by himself could be persuaded.

The brilliant writer, James O'Donnell Bennett, once pointed out the difference in the attitude of the crowds in Madison Square Garden at the last Democratic convention as they listened to the orator within their sight and hearing, and the attitude of the crowd, fully as large, gathered in Union Square outside the building listening to the same address through the loud speakers of the radio. When the crowd inside would be aroused at times to a frenzy of applause and excitement the silent crowd outside made no outcry and indulged in no emotions but dulled intellects. The audience outside listened with unaroused emotions as thinking individuals. In other words, the radio, which gives the speaker his largest hearing, has destroyed his power to arouse the emotions of his audience except through an appeal to their reason. Instead of reaching the mind through the emotions he must, when speaking over the radio, react the emotions through the mind, if he is to reach them at all.

This all means that the orator of the future to hold and impress his audience must largely abandon appeal to emotion and confine himself to reason forcibly expressed and logically arranged. It means inevitably that the oratory of the future is to be the oratory of condensed reason, as distinguished from demagoguery with its appeals to prejudice and emotion. This fact is fraught with tremendous significance to the future public welfare.

In my judgment, in the contest this evening these young men and women will give of the new oratorical method perhaps its best exemplification. In their short speeches there will be little appeal to our emotion, to our prejudices, to our sentiment, but they will address our intellects, our higher selves and our nobler impulses.

In my judgment when this audience leaves the hall it will be with the sense that the speakers, although allowed only 10 minutes each, have well covered their important subject.

PRESIDENT COOLIDGE'S ADDRESS (1925)

WE are gathered this evening to signalize our approval of and attest our interest in what has been, I presume, the greatest competition of its kind ever held in the world. The essential part of the program here will be the delivery of seven addresses on the Constitution of the United States. They will be delivered by their authors, students in high schools, or private or parochial schools of like grade, throughout the country. The contest originated in the patriotic enterprise of a group of great newspapers, each paper assuming the leadership in organizing competitions, local and regional in its own territory. The winners in the local contests met later in regional ones, the series of them

completely covering the nation. The seven who are to speak here tonight are the final survivors of this process of elimination, candidates for the highest national honors.

I was amazed to learn, as I am sure my hearers will be, how many students have participated in these contests. Last year was the first competition on a nation-wide scale, and no less than 900,000 addresses were prepared and delivered. This year the number has increased to the well-nigh unbelievable figure of 1,400,000. It is certainly a splendid demonstration of the efficiency of our educational system, of the interest that has been inspired in the study of our country's institutions, and of the zealous effort that has been put forth by those who have organized and directed the contests.

It must be a matter of gratification and of profound assurance to every lover of our institutions that so universal a response should have been evoked by the invitation to participate in this striking effort. We extend, of course, our first congratulations to these seven young men and women who have survived to the last lap of the race. But in truth their achievement, though it has brought so much distinction to them as individuals, is unimportant when contrasted with the big and pregnant fact that nearly 1,500,000 of their fellows back at home have participated in the serious studies, the work of preparation and self-education, preparatory to this event. Speaking on this same occasion a year ago, I observed that "there never was a time when our institutions were so universally being subjected to intimate scrutiny and close consideration as they are today." I urged the special importance of closely studying our institutions in order that the people might be equipped intelligently to defend them. Since that suggestion was advanced we have literally taken a national referendum on the subject of our constitutional system, and I am glad to be able to report to you that the verdict was overwhelmingly in favor of sustaining that system and going on to perfect it. The voice of the nation has been heard. It spoke with an emphasis that none could possibly misunderstand. It declared for ordered liberty, for constitutional procedure, for the maintained sanctity of the courts, the rule of law, the security of property and the sacredness of human rights.

Within the year since the last occasion similar to this, the voting millions of the nation have given their thought and judgment upon the same set of questions which this million and a half of young people have been considering in the preliminaries to this contest. Looking back upon that nation-wide reconsideration of our social fundamentals, I think we are under obligation to acknowledge a debt to those who organized this series of annual competitions. For, by what they did, they turned the thoughts, not only of the great student body, but millions of parents and teachers and mentors, to study of the prime essentials, the spiritual and institutional foundations of this nation. Who shall

venture to say how great a part these student contests had in preparing the public mind to give the verdict which was pronounced by the voters last autumn? And, turning our eyes to the future, who can doubt that these studies of the underlying elements in our government constitute a pledge of security for those institutions in all the years to come?

There is another reason why we should be rejoiced that these young people of today, who will be the citizens of tomorrow, should thus have had their thoughts directed to the basic things which concern the framing of society. Our nation has a weighty responsibility, not only for maintaining its own welfare, liberties and power, but for the utmost possible contribution toward organizing the nations and peoples in the aspirations and the ways of peace.

Here is a field for institutional development to which the thoughts of men and women everywhere are turned as they never were before. Though their scale is greater, yet the problems in this realm of world organizations are essentially the same as those to which mankind has been addressing itself from the beginnings of society. These are the problems of assuring justice alike to weak and strong; assuring peace with honor, of enthroning conscience in places of authority too long usurped by mere force. The same humanity that has been able to erect the rule of law and liberty on the scale of great nations and mighty federations, will at last find institutions by which to place international relations upon the same sure foundations.

Perhaps the inspiration to leadership in such work of world statesmanship may be born in some of these young men and women because of their studies that lie in the background of this occasion. It is none too great a hope to entertain of so worthy an enterprise. But whether or not such a fruition be possible, we can at least be sure that the thought and effort which find their culmination here have been devoted to a noble and generous purpose. They have aimed to raise the standard of civic usefulness and individual equipment for the greatest duties that will be imposed upon men and women in the generations that lie before us.

ADDRESS OF MR. WALTER A. STRONG

Publisher, *The Chicago Daily News*

(1926 National Finals)

CITIZENSHIP in this great country of ours has a particular significance at this present period in the world's history. The political structure upon which our citizenship is built has in it materials which trace their sources far back into history—that of the Grecian and the Roman civilizations and the appli-

cation of those early fundamental ideas of citizenship by the Anglo-Saxon race, through hundreds of years of stresses and strains—before our forefathers chose the principles of “life, liberty and the pursuit of happiness” and established them in the Constitution of the United States.

Too often we think of our citizenship as a thing of the present; too often we permit our ideals of citizenship to be influenced or changed by the apparently violent distortions of current events; too often we fail to recognize the essential simplicity of the obligations of citizenship.

The first duty of citizenship is the honest support of our country's laws and an unfailing allegiance to those principles which promote our country's welfare, but I believe it is proper to say that we must recognize in the future the obligations of our citizenship which will contribute to the moral and economic stability of foreign countries from which we have derived so much of our present state.

The almost universal desire on the part of all nations for world peace, founded on sound social and economic principles, can have no hope of fulfillment unless there shall be a growing sense of an international community of interest among the peoples of the world. If this community of interest could be expressed in terms of a world state, and that state had no citizenship, it would not be difficult to demonstrate its total ineffectiveness. If ever such an organization of world affairs comes to exist, even if it is only on economic grounds, it will be because the people of all countries, and especially the so-called “next generation,” give force and effect to the idea of world citizenship.

And, as I see it, this can be accomplished without any depreciation of the ideals of citizenship as a national entity.

Granting, therefore, that this is the background of our conception of citizenship, what is our responsibility for citizenship building, and more particularly, what is the responsibility of the newspaper in citizenship building?

Building citizenship is the process not alone of making good citizens, but also of increasing the rights and privileges of citizenship, of making citizenship more valuable to its possessors. Thus it includes the task of building good Government. The newspaper that is true to its trust must work tirelessly to build citizenship by both these processes. It lives by service or else it has no right to live at all. It stands at all times as the champion of order and the upholder of law.

Let us stand aside a moment and look at this great institution—the American newspaper. Can a permanent place be found in its crowded columns for material, serious-minded enough, but at the same time attractive enough to inspire the people of this Nation to achieve better citizenship?

A newspaper is an ephemeral thing. It catches the attention or intrigues the interest of its reader, youthful or otherwise.

one day and plunges into the next almost before the record of today is written. It has been said that there is nothing so old as yesterday's newspaper. A newspaper must seize upon the many and complex events of life and make them real and important in the educational processes of this age.

No one reads all of one issue of the newspaper of today. Only a few people have a definite purpose or program in their newspaper reading. It is important to remember, however, that of the total newspaper readers of the 35,000,000 copies per day printed in the United States the great majority read no other form of literature by which they receive any contacts with purely cultural or educational material. Is this, then, not the measure of the responsibility of a newspaper for citizenship building?

To supply the base ball scores, to catch the amusement interest in cartoons and comic strips, to engage the family interest in cross-word puzzles is only part of the complex activities of the newspaper—a necessary part, but secondary always to a larger design, a purpose, founded upon the honest and fundamental desire on the part of the newspaper publishers of the United States, more than ever before, to contribute their share in up-building citizenship, to arouse interest in better things and, because it is an essential part of this purpose, to give a true picture, for good or bad, of public affairs as they are today.

In a time when profound political and sociological changes are taking place (whether they involve political or purely moral issues) it is generally conceded that we must look to youth for the final solution of most of the problems which have their beginnings in the present.

After what you have heard from this platform today I am sure you will agree with me that the "next generation" is competent to deal with the facts, to realize both the simplicity and the nobility of those fundamental principles on which our present well-being has been established.

What these boys and girls here present and the hundreds of thousands of other boys and girls have done in this great newspaper venture—the National Oratorical Contest—must be a good and sufficient answer to the despairing criticism of youthful radicalism and insincerity. You must recognize in these orations the flame of youthful sincerity applied to the force of citizenship building, which is the hope of the world in the future.

It is a significant and a desirable feature of this year's contest that the winners are going abroad to meet there the youth of other countries.

If there is a higher education so there is also a higher journalism. Both are founded upon principles of enlightenment and leadership—both have an ethical mission.

We all know what great hope for the future lies in our schools. The corresponding functions of a newspaper are not so well understood.

The students, the analysts, the professors, the teachers are the custodians of the wisdom of this age, but they are mute when they face the task of communicating their wisdom to the mass of people. It is the business of newspapers to make wisdom vocal and to reach the mass with their voices.

To engage the interest of youth, and to hold it, a newspaper publisher must first assume that their intelligence is of a standard which can receive and digest the facts as they are, good or bad. We must also concede that their ideas, which may not seem to run back toward those fundamental principles which are held most dear, must be given honest and frank consideration. If this be granted, a newspaper can and does present and encourage this challenge to the youth of the nation.

I submit that under these circumstances you will find the mind of youth running true to forms of citizenship which have made this country great, and the citizenship of tomorrow will include the broader viewpoint of world citizenship and its responsibilities.

In the city of Athens, over 2,000 years ago, we find the evidence of a most highly developed conscience on the subject of citizenship. The training in citizenship began in early youth and at maturity the obligations of citizenship were probably better understood on the part of the whole population than at any time before or since. We owe a great deal to the early achievements of the Athenian citizens in establishing citizenship as a public trust. We have inherited in this day and age many of the principles established at that time.

May I be permitted, therefore, to read to you the Athenian oath taken by those who assumed the responsibility of holding public office? I read it in the hope that it will illustrate to you from a far distant past those enduring qualities upon which we must base our responsibilities for the future.

"We will never bring disgrace to this our city, by any act of dishonesty or cowardice, nor ever desert our suffering comrades in the ranks; we will fight for the ideals and sacred things of the city, both alone and with many; we will revere and obey the city's laws and do our best to incite a like respect in those above us who are prone to annul or set them at naught; we will strive unceasingly to quicken the public's sense of civic duty. Thus in all these ways we will transmit this city not only not less, but greater, and more beautiful than it was transmitted to us."

MR. JOHN HAYS HAMMOND'S ADDRESS

IT is hard to properly evaluate a movement of this kind. It reaches so far, plumbs so many depths of human emotion and conduct, and gives such sweeping wings to the imagination.

But this we know—that it is destined to exert profound influence for sound and stable government is beyond question.

There are certain facts connected with this contest which will be of interest to us as we listen to these seven girls and boys tonight. First of all, they are the best out of almost a million and a half secondary school contestants in all parts of the nation. The orations which they are to deliver represent their own work, their own conviction, and are not mere declamations. In other words, we are to hear from the lips of youth youth's own interpretation of American ideals and institutions. In this great movement youth is in the vanguard, and its progress is irresistible.

Vast though this particular gathering is, it represents but a fraction of those who have had their pulses quickened and their loyalty strengthened by the words of all the participants in this contest. Through the printed words in more than 1,000 publications (among them some of the most influential journals in the world); through the spoken words of thousands upon thousands of contestants; through the winged words of radio; through all of these it is certain that millions upon millions of our people have, as a result of this contest, caught a new vision of the meaning and the value of our American system of government.

The National Oratorical Contest must, therefore, be ranked as one of the major civic movements of our time, and we wish it God-speed as it moves ahead with the swift vigor and enthusiasm of youth to the realization of its laudable aspiration.

INTERNATIONAL FINALISTS, 1926

FIRST PRIZE—1926

THE CONSTITUTION

BY HERBERT EDWARD WENIG,

U. S. Spokesman and International Champion

Hollywood High School, Los Angeles, Calif.

FROM the beginning of recorded time the force that has propelled civilization onward has been man's desire for freedom. When that desire fails the wheels of progress cease their turning, and when it is most active civilization makes the greatest advancement.

Born beneath the sunny skies of Greece, nurtured in England's island empire by those who wrested from an unwilling royalty the Bill of Rights and the Magna Charta, fostered in America by those lofty spirits who guided our revolution to success, its most

baffling problem was faced by those men who, in May, 1787, in the city of Philadelphia, took up the work of consolidating and perpetuating the fruits of victory. For the crown and consummation of freedom's forward march was the American Constitution.

Look with me at that group of men who in four months wrought out of the chaos and confusion of the confederation a Constitution for all time. Into that Constitution went the wisdom of Franklin, the majesty of Washington, the vision of Hamilton and the legal learning of James Madison. It had as its inheritance the dash and vigor of the minutemen at Lexington and Concord, the courage in the battery smoke of Bunker Hill, the prayers at Valley Forge, and the patriotic sacrifice in the ice and snow along the frozen Brandywine.

For the first time since governments had been instituted among men that Constitution provided for a government whose base was in the bedrock of the God-given rights of the individual; for the first time a government had been formed, which guarded its citizens against encroachments of class and arbitrary power; for the first time man's desire for freedom found complete fulfillment in the Constitution of the United States. In its check and balance system safety is assured. In its presidential message and presidential veto, in its representative initiative and senatorial clarification, in its judicial review for constitutional violation, and finally in its amendatory prerogative, the Constitution furnishes to the United States of America the greatest written guide for law making and potential progress ever devised by the human mind. And almost as a part of the covenant itself incarnate and forever enshrined—a bill of rights guaranteeing to the individual his life, liberty, and property, undisturbed except by due process of law.

One hundred thirty-seven years have passed since Washington took the oath of office to uphold that Constitution. One hundred thirty-seven years of constitutional blessing to America is the gift of the immortal framers of our Citadel of Freedom.

My fellow countrymen: Only an American, one who knows our history, can feel the sacred symbolism of that Constitution; only one whose soul is steeped in the spirit of the far-off days when the old meeting house in Philadelphia felt the throb of the great hearts of the constitutional fathers, can understand.

What solemn obligation is ours, to teach those who come among us from foreign shores, and who often, all too often, come to scoff because they do not understand. Here is our duty, here is our obligation too, for those who do not know must be enlightened; and those who do not care must be taught to love our institutions, and the Constitution by which they live.

And for those, who come with hatred in their hearts, ladies and gentlemen, no words of mine could fully express the indignation that should rouse every true American heart, to stand

on guard as they did on Concord Bridge, who gave to us our flag, our country, our Constitution.

For this sacred Constitution the soul of the great John Marshall still speaks to us from his tomb. At the foot of Story's statue of the immortal Chief Justice within the shadow of the Capitol's dome in grateful remembrance the American People shall always kneel in devout recognition of the vigor and the vitality he wrote into our national document.

For this flag, this country and this Constitution, Webster's voice still reverberates in the old Senate chamber. For this Union and this Constitution Lincoln wept, prayed and died.

"The flag," says Justice Holmes, "is but a bit of bunting to one who insists on prose."

But its red is our life blood, its stars our world, its blue our heaven. It owns our land. At will it throws away our lives.

Without the Constitution there would be no flag with its beautiful symbolism. There would be no united country; no Supreme Court to safeguard our liberties; without the Constitution there would be no American republic founded upon equality; there would be no justice founded upon law; there would be no representation founded upon the ballots of free people.

Was there ever a document like this? Was there ever such a challenge to intelligent citizenship? Was there ever a martyrdom so sweet as death for its perpetuity?

The past has given us this Constitution, let us guard with hallowed hand our inheritance and transmit it to the generations yet to come with no blot from our neglect and no blemish from our misdeeds.

The spirit of indifference which exists today toward our governmental institutions must be replaced with a spirit of interest upon the part of an intelligent and courageous citizenry. We must exercise that "eternal vigilance" which is the "price of liberty." If our Constitution is to remain a vital living organism of government, if we are to hand down to posterity a Constitution stronger and better because we have lived under it, you and I must stand sentry at the gate of constitutional promise guarding our citadel of freedom against the insidious plans of would-be reformers.

For real dangers are appearing on the horizon. Today disturbing reports reach us of the activities of organizations seeking to teach the necessity for a new national document. We are asked to destroy our Constitution and to replace it with another made to satisfy the personal and selfish desires of class.

Ladies and gentlemen, if ever such a call comes, may every true citizen set his face, "like flint" against the change and with universal voice let us fling back the answer, "Remove not the Ancient Landmark Which Thy Fathers Have Set."

The pages of this sacred document are fast crumbling away, but their meaning and their significance are carried in your

hearts and in mine. Baptized by our fathers' blood, consecrated by our mothers' tears, dedicated to immortality by the sacrifice and the prayers of a free people, may our Constitution ever stand as the emblem of "Peace on Earth, Good Will Toward Men," the sacred embodiment of the soul of the American people.

BOLIVAR Y LOS PUEBLOS LATINO AMERICANOS

JOSE MUNOZ COTA

EL genial análisis de Spengler, ha señalado en la peregrinación misteriosa de los siglos, dos corrientes importantes. El monumento estático del mundo antiguo en que los héroes se perpetúan en la filosofía del gesto y de la línea, siempre dentro de los dominios mágicos de la escultura, y el momento moderno, después de Cristo, en que el dinamismo es la esencia de la vida; en que se traduce el preludio de la psicología, y en que la pintura, con el movimiento del color, es la expresión de la energía, siempre creadora. De Cristo para nosotros, es el proceso "faústico"; la inquietud perpetua de la voluntad siempre en ejercicio; del carácter en función de un continuo devenir y de un constante anhelo de perfeccionamiento, sublime hasta querer cumplir la máxima sagrada del maestro: "sed perfectos, como vuestro Padre lo es en los cielos!"

Si entonces, la Biografía con Plutarco, sólo registra una expresión de actitudes estéticas; la Historia para nosotros, es la voz de las pasiones humanas; es el Diario que registra la tragedia de la pendulación entre lo que niega y entre lo que afirma.

Los héroes, ya no se presentan apolíneos, estatuarios como Péricles, que parece una estatua de Fidias con un soplo divino. Sino más bien, dionisiacos y embriagados de acción; de una acción sana, inteligente, capaz de vencer al "ananké" de los dramas antiguos y a la fatalidad determinante propia sólo del oriente.

La libertad es la característica de nuestro tiempo. Es por esto que en nuestra Yliada, y para nuestro Odiseo, ya no intervienen los dioses tutelares. Ya no miramos materialmente la sonrisa de plata de Palas Atenea, la de los zarcos ojos, dirigiendo la lanza y enseñando el camino; pero si sentimos que se ha transformado en un Esfuerzo continuo, envuelto siempre con el manto clásico de la belleza eterna. El alma Latino-Americana, ha conjugado los 2 tiempos de esta compás armónico de la evolución. No sólo es una realización; sino es una realización bella. No sólo tiene profundidad y trascendencia vital, sino musicalidad en sus expresiones. Y es que la Grecia volcó sus anforas de oro en los ojos asustados de los pueblos latinos que elevamos el sentido estetico de los griegos, en combinación con el dinamismo de los cristianos. Nuestra Historia, es una fiesta de colores como los cuadros de Rubens y de espacios filosó-

ficos, como las biografías pictóricas de Rembrandt. Nuestra Cultura tiene los perfiles de una danza. La danza es la coronación de la estética.

Todo nuestro sentir es una gimnasia de la inteligencia, con la gracia y la agilidad de su fuerza desbordante, tras de los bucles de oro, de la Diosa Harmonía!

Todo nuestro espíritu, a los ojos de los demás, enfático y teatral, es la orquesta de una tragedia de bronce que se realiza el desorbitamiento de una selva, como la música de Wagner.

Todo nuestra ambición, es una sinfonía, a veces la Quinta, con nuestros indios que trotan, sobre sus espaldas la noche de la conquista española, o bien la Novena, cuando se hace luz y nota y alegría de se con sus filósofos, con sus poetas, con sus pensadores. En fin, mientras Pan, desdobra, el milagro de su gozo estético, nuestra raza, con una audaz comparación, es un sátiro divino, tras de la curva de la Belleza y de la Verdad!

Así en todos nuestros héroes. Así en Bolívar, en el tipo de nuestros heroes, pueden encontrarse los dos aspectos del mundo. La eurytmia helénica, la gracia de la actitud estatuaría, el arte del gesto noble; lo que hizo de él, un "poeta-soldado", y de su vida un maravilloso poema épico, junto con la acción decidida y tragica que nos obliga a considerarlo, como el más inquieto de nuestra Historia.

Por esto, a su impulsivísimo, no le vamos a pedir que dirija sus batallas como un técnico. Sus batallas son como huracanas. El mismo se nos transfiguró como una tormenta libertaria; como una montaña que desflora espacios y viola inmensidades. En el calvario que sigue para redimir a los pueblos, son profundas las caídas y grandes las victorias, pero siempre creadoras con el misterio fecundo de la fe. De la fe potencial que ilumina al mundo, y lo llena de apóstoles, de mártires o de maestros.

No nos detengamos en las vicisitudes de su esfuerzo, sino en el momento de su triunfo definitivo, cuando cruza los arcos triunfales que forman las catorce banderas españolas, con la misma magnética que sorprendió Augereau en los ojos de Napoleón antes de las victorias en Italia, y con el mismo gesto épico que perpetuó Bonaparte en los Pantanos de Arcola!

Ya después como estadista recuérdese su magno ideal. El Congreso de Panamá que aspiraba a ser "como la repetición de la". Anficiónía de Corinto o como una Confederación Germánica. Y es que soñó en la unión de todos los pueblos Americanos. Soñó en una América grande fuerte y poderosa; y si, desgraciadamente, como resolución política no fue posible, como resolución cultural va siendo todo un éxito.

Pesa sobre los hombros de la vieja Europa, todo el cansancio de una enorme lucha. Se ha agotado luchando y cada vez con más frecuencia, se escucha fatídica: Europa está en decadencia! Verdad o mentira; es un hecho ineludible, biológicamente in-

eludible. Y frente al peligro del Oriente, nosotros, los pueblos jóvenes que hemos bebido la luz a los pies de la vieja maestra; pero que tenemos una energía que a ella falta, nosotros, recogeremos la antorcha, con la esperanza de que la futura Atenas, estará entre nuestro suelo!

Y hay una razón natural. Europa y en parte los más pueblos, han cumplido su misión histórica; han perfilado los lineamientos de su carácter, de su personalidad de su sino universal, y ya en el mañana, para unos, el crepúsculo, para otros, sólo la conjugación en el tiempo y en el compás ya marcados. Nosotros no. Constituimos un pueblo joven que ha venido pugnando por hacer una personalidad superior y que precisamente porque no la tiene, puede recogerlas enseñanzas, de los más crear sus nuevas orientaciones. No somos del presente, pertenecemos al futuro. Y no quiero decir precisamente, un orderio militar o económico, sino espiritual. No Cartago; ni siquiera Roma; sino la Grecia del mañana!

Para esto, nos queda una raza de bronce que está recogiendo la cosecha, sin contaminarse con el vicio que minan a las grandes ciudades modernas; que puede salvar los valores a punto de perderse después de esa conmoción moral que ha sido la guerra de Europa; que en verdad, parece no haber cambiado, fundamentalmente, la situación del mundo. Ni siquiera, alejado las posibilidades de una nueva contienda.

La falta de intereses creados, le permitirá a nuestra Raza de Bronce, acercarse al triunfo, no del nacionalismo, sino de la Humanidad. Porque los pueblos no son más que factores en una obra común.

De aquí elogiemos a Bolívar que no sólo es el libertador, sino el iniciador de ese sentimiento de unión espiritual. De aquí que mientras pensamos en él afirmamos nuestra fe en la cultura frente a la civilización. Soñamos en Grecia frente a Roma. En don Quijote frente a Sancho Panza. En Ariel frente a Calibán y mientras besamos el polvo con el penacho gallardo del Círano, y engarzamos estoicismos en el gesto de Cuahutemoc, en nuestros labios tiembla la esperanza, al musitar el Padre nuestro de todos los días.

Que por mi raza hable el espíritu eterno!

BOLIVAR AND THE LATIN-AMERICAN PEOPLES

By JOSE MUNOZ-COTA, *Mexican Spokesman*

National Preparatory School, Mexico City

SPENGLER'S genial analysis has revealed two important currents in the mysterious march of time: the static line and gesture of the ancient Greeks, whose heroes live on forever

in the magic power of sculpture, and the modern note since Christ, in which action is the very essence of life, and in which painting, mobile with color, is the expression of creative energy. For moderns, progress since Christ has become Faust-like. There is the eternal restlessness of the active will; the constant desire of perfection; sublime, hopeful of achieving the sacred command of the Master, "Be ye perfect, even as is your Father in Heaven."

Biography with Plutarch was only the expression of æsthetic acts. But with us history is the voice of human passions, a record of the tragedy of indecision, vacillating between denial and affirmation.

Heroes are no longer presented Apollo-like, statuesque as of Pericles, resembling a statue of Phidias, touched by God but, like Dionysius, are full of life and action; of action, sane and intelligent, capable of conquering the necessity of the classical drama and the inescapable fatality peculiar to the Orient.

Liberty is the dominant note of our time. Therefore, in our Iliad and for our Odyssey no longer intervene protecting gods. No longer do we behold merely the silver smile of clear-eyed Pallas Athene, the way-shower with pointing spear, but transformed as deathless force forever enveloped in the classic mantle of eternal beauty.

In the evolution of the Latin-American soul we find beautifully realized the harmonious blending of the classical and modern spirit. It has the quality of music in its expression of life, deep and unconfined. It is as if the spirit of Greece overtuned its golden amphoræ into the startled eyes of the Latin peoples, for they have the æsthetic sense of the Greeks combined with Christian force. Our history is a feast of color, like the paintings of Rubens, and of profound space as in Rembrandt's pictorial biographies. The crown of beauty, the dance, is the symbol of our culture. Ours is a sentient intelligence, of mobile grace and exuberant force, behind the golden locks of the goddess Harmony. Our very spirit, showy and affected in the eyes of others, is but the music to some stern tragedy with forest background, unconfined, like the music of Wagner. And our ambition is like unto a symphony, even the Fifth Symphony, with Indians on the trot, carrying on their shoulders the sad burden of the Spanish Conquest, or even the Novena, in moments of light, music and joy of being, with its wise men, poets and thinkers. In short, while Pan reveals the marvel of æsthetic pleasure, our race looks forth like some divine satyr from behind the curve of beauty and of truth.

All our heroes are like this. And especially in Bolivar—for us the hero type—may we find, ever present, those two world traits. In him Hellenic harmony, the charm of plastic pose, the art of the noble gesture, as well as action, positive and tragic, making of

him the poet-soldier and of his life a marvelous epic poem, the most restless figure in all our history.

We must not, therefore, ask this impulsive spirit to direct his military campaign like a technical expert. His battles are like hurricanes. Bolivar, himself, becomes for us a great liberating tempest, a towering mountain that deflowers and annihilates space. Along the course to Calvary, which he took in order to redeem his people, are found great victories and great defeats, but all of them creative with the fecund mystery of faith; of that kind of faith that lights the world and fills it with apostles, martyrs and teachers.

Let us not dwell, however, on the vicissitudes of his power, but rather on that decisive moment when he cast upon the fourteen Spanish banners, arranged like a triumphal arch, the same magnetic glance which Augereau saw in the eyes of Napoleon before the Italian victories, the same epic gesture which Bonaparte immortalized in the marshes of Arcola. And then, too, let us ever remember his great ideal: The Congress of Panama, celebrated in 1826, which aspired to repeat the Corinthian Amphictyony, the Germanic Confederation. Let us never forget his dream of the union of the American peoples; of an America great, strong and powerful. For, while this dream failed of practical political realization, it still lives on in the domain of culture.

On the shoulders of Europe heavily rests the burden of a gigantic struggle. Before Europe prostrate everywhere we hear the prophetic cry: Europe is on the decline. Whether true or false, as a fact it is biologically inescapable. And face to face with the danger of the Orient, the younger nations of the West, created and inspired by its ancient mistress, but now possessing an energy denied to her, will grasp the torch in the hope that a future Athens may spring up in our midst.

And for this there is a natural reason. Europe has fulfilled her historic mission, has rounded out her character, her personality and her universal destiny. Some of her nations already belong to yesterday; others are slipping into twilight. But ours are the nations of the dawn. We are a youthful people struggling for power and personality, and precisely because we lack these things are we able to grasp and give new orientation to the lessons of other nations and other peoples. We are not of the present but of the future. Ours is to be a spiritual age, not military nor commercial. Not Carthage, not even Rome, but a Greece of Tomorrow.

For this task there remains a sturdy race that is already gathering the harvest, free from the vice that is undermining the large modern cities; that is able to save those worth-while things on the point of being lost through the moral upheaval caused by the war in Europe, which has neither fundamentally changed

the world situation nor even prevented the possibility of another war.

The lack of prejudice will allow our race to achieve the triumph, not of nationalism but of humanity, because the people are collectively common factors in a common work.

For this reason we should praise Bolivar, not only as the Liberator but as the founder of this sentiment of spiritual union. For this reason whenever we think of him we affirm our faith in culture before civilization; have visions of Greece before Rome, of Don Quixote before Sancho Panza, of Ariel before Caliban; and, while we touch the dust with feathery plume in the gay and generous spirit of Cyrano, or link by link we weave the chain of stoicism after the manner of Cuahutemoc, always hope hovers on our lips as we utter our daily prayer: May the eternal spirit speak through and for my race!

CANADA'S PART IN THE NEW WORLD

BY HERBERT MORAN, *Canadian Spokesman*

Toronto High School, Toronto, Can.

MEN and women throughout this continent are continually expressing their opinions on the advantages and disadvantages to this New World derived from the intimate relationships existing between Canada and Great Britain. The Canadian people believe that there is room on the North American continent for two great experiments in democracy, and we are intent on preserving the ties which bind us to the Motherland. Canada in its present relationship to Great Britain has been compared to a married son. He has a home of his own to care for. He has his own fortune to make. He has his own children to look after and provide for. But these children cling around their Grandfather Britain's knee. They hear his tales of glory and are made manly. They drink in his lessons of wisdom and are made good. They are warmed with his and their own forefathers' patriotism, and they are prepared, as on a recent occasion, to lavish their treasures in his support and to shed their life's blood if need be to maintain his freedom and to bear aloft his honor. Such a people in this rich and magnificent land cannot but have a great and glorious destiny.

I will, very briefly, review some of the contributions which have aided Canada in gaining a place in history.

Canadians in many walks of life have been able to stand beside the ablest men of the world. Dr. F. G. Banting gave to the

world the inestimable boon of insulin. Through Samuel Sharpe Canada gave to the world the first sleeping car; through F. N. Gisborne the submarine cable, and through the "Royal William" the first steamboat to cross the Atlantic.

T. L. Wilson, a brilliant Canadian, gave to the world the valuable product known to commerce as calcium carbide. Night after night he toiled without rest until his dream was realized, until the tiny sparks of his forge materialized into the sizzling flame, which is capable of turning aside the hardest steel and which is a means of artificial light in the lumber camps of the north. Another Canadian, Dr. Charles Saunders, discovered Marquis wheat, the sale of which is realizing annually millions of dollars.

For years the greatest magnet attracting settlers to this New World has been Canada's golden West. Canada has by no means reached its maximum food-producing capacity, and has annually a large exportable surplus of grain and other foodstuffs for sale in more densely populated countries.

It is strange that a country where firewood may be obtained so cheaply and so abundantly should be the birthplace of the electrical heating science. Like the submarine cable and the telephone it was produced by a young man. Thomas Ahearn in 1892 entertained a party of fifty engineers at his home. The house was heated and the dinner prepared by electricity. This cooking experiment proved of great interest to his guests, who on their return to their respective cities gave the details of this Canadian's wonderful discovery.

With the United States, Canada is proud to share the honor of inventing the submarine, telegraphy and the telephone, but the honor goes undivided to Canada for the marvelous gift of Standard Time. It was during a period of great confusion, due to complication in train time-tables and the various methods of regulating time, that the idea of Standard Time was brought forward. Sir Sanford Fleming proposed a solution of the problem to the Canadian Institute of Toronto in 1879 which was soon recognized and adopted throughout the world.

In Canada the Methodist, Presbyterian and Congregational churches have united and are carrying forth the faith of their fathers in one united body. That this idea which Canada has instituted will rapidly extend throughout the Christian world, I state without the slightest hesitation.

And now I come to one of the greatest yet most horrible events in history, the Great War. Never has the world witnessed a spectacle more majestic and sublime than the rally of the British Dominions to the succor of the Motherland. Like lightning the news that England had cast her vote for war flashed from city to city, from town to town, from lonely farm to lonely farm. In an incredibly short time on that Summer day of

August, 1914, all Canada palpitated with the awe-inspiring news. Enthusiastically and unanimously Canada threw in her lot with the mother of her race. The flower of Canadian manhood answered the call of duty. Men from the wheat fields, from the prairies and from the lumber yards of the West—what wonder they sprang to the call of war as surely men never sprang before! When the future of the empire and of civilization was at stake, thank God for the heroic Canadian soldiers who went valiantly forth from their homes, some never to return! Manly young Canadians they were in the bright promise of their young lives, the hope and pride of their parents, who went forth in August, 1914, just as your boys went forth in 1917, to bleed on the battlefields of Flanders. What greater contribution can a country make to the welfare of humanity than to have 60,000 of its sons make the supreme sacrifice in the cause of freedom?

The friendly understanding existing between Canada and the United States cannot but have an influencing effect upon the betterment of the New World. An outstanding Canadian gentleman once made this statement: "The best contribution that Canada can make at the present time to the cause of peace and human progress is the testimony based on over a century of experience that two countries living side by side can limit both their naval and land forces, and that all disputes between nations can be settled by reason rather than by force, thus contributing to peace and good understanding between them."

Any clear minded citizen can see the wisdom of these words. During the year 1914 Canada's men were pouring out of the country and the supply of weapons was rapidly being exhausted and yet to the south of us was the greatest Republic on the map of all the world, covering 3,500,000 square miles and numbering 100,000,000 people, the United States of America. But we had faith in our national neighbor and nothing was to be feared from that direction. That is the greatest lesson Canada can teach to the countries of Europe today, where strife and turmoil between neighboring countries is the headline issue of the hour. Canada and the United States can also prove to the world that it is possible for two great nations with a common frontier of thousands of miles, to limit their military fortifications, thus reducing the military burdens of each country.

Here we have a boundary line between the Dominion and the United States, two proud, high-strung, aggressive nations with 5,400 miles of border, but across which in more than one hundred years neither nation has fired a hostile gun.

Today Canada is facing a series of new and difficult conditions. These conditions are due in part to changes in the world's situation and in part to financial and war burdens. Since the war a new obligation has been laid upon us all to make this continent the hope and blessing of the world. If we would

be true to those who were true to us, those men who sleep in Flanders' fields, honor binds us to keep our contract. Canada and the United States must go forward hand in hand, working shoulder to shoulder for the betterment of this New World. It has been the coöperation of the United States and Canada that has made this great North American continent the influencing power that it is in the world today, and by the help of God we will go forward to bigger and better and greater achievements in the bright tomorrow that lies ahead.

Canada has been passing through trying times. Canada has encountered heavy burdens. But we have rich resources, an energetic people, pride in what we have accomplished and confidence that the burden is not greater than we can bear and that our vision of a prosperous democracy bound with links of tempered steel to the old Motherland will have increasing realization in the years of endeavor and achievement which lie in the future.

Hereafter let no man scoff at this Dominion, this "Land of Hope and Glory."

"Wider still and wider shall thy bounds be set.
God who made thee mighty, make thee mightier yet."

THE BRITISH EMPIRE

BY WILLIAM MEADES NEWTON,

English Spokesman,

Holt Secondary School, Liverpool

THE British Empire presents, to any inquiring mind, many features fundamentally different from all other empires of the past. An empire of such extent, existing in the modern world of fierce nationalism, is an astonishing and important factor in any consideration of the present age, and a study of its history, constitution and significance will be well repaid.

Imperialism as a political idea is rightly condemned by most people. Hence we are not surprised to find that the British Empire evolved from far more practical motives. Colonies founded under stress of the imperial idea rarely flourish, for example the German colonies in South Africa, and those of France in North Africa. A more powerful and practical motive than imperial ambition is necessary before men will undergo the hardships of establishing new communities in foreign lands. Modern Imperialism has commerce as its instigator, and the flag has too often been valued as a commercial asset. It was

a far different spirit that moved the Pilgrim Fathers to brave the dangers of the deep and of a new world.

Again, no great empire has been built to last, when arms have been its support. Alexander, Hannibal and Napoleon built great but perishable empires because military conquest was their first and last support. The military triumphs of the British Empire have been signal enough, but alone they would never have sufficed to build such an immense and permanent structure, for more than victories is needed to form a great empire. Even a battle is only a summing-up, in a striking and dramatic manner, of a series of causes. Military skill is of course needed, but it can only work on materials and conditions provided for it, and these are of far more ultimate importance. Dominion acquired by the sword can only be maintained by the sword and, when all comes to all, the sword fails unless reinforced by the arts and crafts of peace. The real builder of the British Empire is the colonist, not the colonel, the settler, not the sergeant. He has worked with spade and trowel in the distant corners of the globe and his harvest is sheaves of grain and not the tares of human misery.

This foundation of service is apt to be overlooked. After reading of the glorious and thick-crowding victories of the Seven Years War, we are apt to forget those long years of peaceful colonization which made them possible. Before a blow had been struck, or a shot fired in that war, it had been determined that North America should belong to the English speaking races. Along the Atlantic seaboard stretched thirteen flourishing colonies, busy in the arts of peace. The population of the French colonies totalled eighty thousand, while Virginia alone had two hundred thousand. Surely the victories of the war were but foregone conclusions since it was fifteen to one, for the English colonists numbered one and a quarter million, even then.

The Pilgrim Fathers would never have called themselves Imperialists. In their veins ran the blood of Drake and Hawkins, but unlike them they sought not gold, but an ideal. They went imbued with religious convictions which they prized more highly than silver and gold. These men, who abandoned all in search of righteousness, were the true stuff of the Empire. They were to become great and prosperous in the fulness of time, not because they sought wealth, but because they sought liberty and righteousness. They were the backbone of the English power in America.

They took with them a tradition of liberty and democratic government. Hence today the great colonies, or rather sister-nations of the Empire have evolved into democratic and self-governing states. Britons have built an empire not because they took most, but because they gave most. It was long before they realized their part, but once understood, it was never forgotten. In India the chaos of the dismembered Moghul Empire and the

ambitions of far-seeing Frenchmen forced them, slowly but inevitably, to take up the challenge. Harassed in their peaceful, if prosperous trading, they gradually came to realize that if they were to remain in India in peace, they must take up the government. The early history of the English in India illustrates the fact that some have empire "thrust upon them." As traders primarily, they were averse to change their rôle to that of administrators, but force of circumstances prevailed.

The principles of Empire were hammered out through long years. But the idea that government is primarily for the benefit of the governed was, in reality, a novelty in India. Such a policy completely differentiates it from former empires. One of the greatest of the empire builders, Warren Hastings, was brought to trial for maladministration. Hastings was a great and benevolent ruler, but although his record has been completely cleared, or almost so, it is a tribute to the new spirit of imperialism that such a man could be brought to trial to clear himself from charges of misrule over a foreign race in distant regions.

Being founded by settlers and not by soldiers, the sister-nations of the Empire are democratic. That is to say, they are both self-governing and founded on a basis of equality and liberty, for the word "democracy" may mean both. Even in the seventeenth and eighteenth centuries, the English colonies in America were essentially self-governing and democratic. They presented an entire contrast to the French colonies, which were founded on the undemocratic and centralized principles of the old régime in France. The sister-nations were the heirs to that tradition of liberty and democracy which has characterized the English throughout history. At a time when the rest of Europe had not grasped the elementary rudiments of liberty, the colonies of England had advanced so far that they took their stand, supported by the eloquence of Burke and Chatham, not on resistance to oppression, but on the principle of self-government. The actual taxation in question was too paltry to influence either nation, although the issues were long overclouded by unhappy misconceptions.

Self-government has proved, not the destruction of the Empire, but its salvation. The links of sentiment which Burke spoke of as "light as air, yet strong as iron," have proved that Empire does not necessarily mean hegemony, and the triumphant vindication of that principle is the real claim of the British Empire to be an unique and enduring thing. The British Empire is not a frothy sentiment but a great and abiding influence. It has endured, as it always will endure, let us hope, because it is founded, not on tyranny and militarism, but on love, on justice, and on peace. It is one of the concrete instances of the success of justice and liberty and whatever its trials and mistakes, it will be always an influence to the forming of a better and a more peaceful world.

LA CONSTITUTION FRANCAISE

MAXIME RAYMOND PUEL

Lycée Henri Poincaré, Nancy

LA FRANCE, à travers les siècles de sa fiévreuse histoire, a toujours poursuivi deux buts : la liberté et l'autorité.

L'ancienne monarchie, qui a fait la France unie, grande, puissante, possédait l'autorité ; mais elle ne laissait pas au peuple de liberté. En 1789, le peuple, qui, depuis un siècle, aspirait à la liberté, secoua le jogg de la monarchie et fit la Révolution. La Révolution ne dura pas. Elle ne pouvait pas durer, parce que ses hommes s'entre-dévoaient les uns les sutres, et qu'au sommet du pays il n'y avait plus d'autorité. Napoléon parut : il abolit la République et rétablit l'autorité, mais en même temps il supprima la liberté. Pendant soixante ans—de 1815 à 1875—la lutte continua entre les deux principes. Tour à tour, la liberté et l'autorité triomphèrent. La France alla successivement de l'une à l'autre. Enfin, en 1871, fut proclamée la République qui a aujourd'hui cinquante-six ans d'existence, et la République en 1875 fut assise sur la Constitution actuelle, qui a cinquante-et-un ans de pratique.

Cette Constitution peut n'être pas parfaite—la perfection n'est pas de ce monde—mais elle est un modèle d'harmonie et de sagesse. Elle vise par dessus tout à établir l'équilibre entre les deux grande principes chers au coeur de tous les Français : la liberté et l'autorité.

L'autorité appartient au pouvoir exécutif, représenté par le Gouvernement. C'est le gouvernement qui veille à l'application des lois, qui nomme à tous les emplois civils et militaires, qui commande l'armée, la magistrature, la police, qui assure l'ordre intérieur et l'ordre extérieur. Mais le gouvernement est responsable de chacun de ses actes, du plus grand au plus petit, devant la Chambre des Députés qui est élue directement au suffrage universel par le peuple, et devant le Sénat, qui est élu au suffrage à deux degrés par des représentants du peuple. Ainsi, la Chambre et le Sénat ont non seulement le pouvoir législatif, c'est-à-dire le pouvoir de faire des lois ; mais ils ont aussi le pouvoir de contrôler l'exécution de ces lois et, de surveiller l'administration. C'est à la Chambre et au Sénat qu'appartient en fait toujours le dernier mot. Il suffit, que, par un vote, ils désapprouvent le Gouvernement pour que celui-ci soit obligé de se retirer sur l'heure. Les Chambres sont les véritables souveraines de la France, et les Chambres représentent le peuple : donc, le peuple est le véritable souverain. Il est libre de choisir ses représentants comme il veut, et ceux-ci sont libres de vote comme ils l'entendent. La liberté domine, et l'autorité, que detient le Gouvernement, ne s'exerce qu'au nom de la liberté et avec l'appui de la liberté.

Dans la Constitution Française, le Chef de l'état, qui est le président de la république, a un rôle spécial. Il n'est pas élu, comme en Amérique, par le peuple, mais par les représentants du peuple, c'est-à-dire par la Chambre des Députés et le Sénat, réunis en Congrès à Versailles. Il ne jouit pas, comme le Président des Etats-Unis, d'une autorité absolue, lui permettant d'agir sans consulter ses ministres. Il doit au contraire les consulter à propos de chacun de ses actes. Il ne peut assister à une cérémonie publique sans être accompagné d'un ministre; il ne peut prononcer un discours sans l'avoir soumis au conseil des ministres; il ne peut écrire une lettre officielle sans l'approbation du conseil des ministres. On a parfois souri d'une pareille tutelle. Mais ne souriez pas: la tutelle a été voulue par les grands républicains Français qui firent la Constitution de 1875. Ils ont voulu soustraire le Président de la République à toute responsabilité pour le soustraire à toute critique. Ils ont voulu l'élever au-dessus de la mêlée des partis politiques pour en faire l'arbitre suprême de ces partis politiques. Ils ont voulu qu'il fut surtout un grand conseiller et ils ont pensé que celui-là conseillait mal qui agissait lui-même.

Au surplus, il est mauvais de comparer une constitution avec une autre: il faut juger une constitution en elle-même, par rapport aux moeurs et aux traditions du peuple auquel elle est destinée. Un grand homme d'état français, M. Aristide Briand, qui a été dix fois premier ministre en France, sous sa forme pittoresque habituelle a eu cette définition: "Une constitution est pour un peuple ce qu'est un habit pour un individu. Il faut juger l'habit à la durée de sa résistance, et à sa convenance on le porte, aux services qu'il rend, quelle que soit la saison." Si la définition est exacte, alors la constitution française de 1875 est la meilleure qui pouvait être donnée à la France. Elle a, comme je viens de le dire, cinquante-et-un ans d'existence et, après un demi-siècle, tous les Français la considèrent comme tellement bonne qu'aucun ne propose sérieusement de la changer. Elle a permis à la France vaincue de 1871 de se relever, de conquérir un empire colonial qui, par ordre de grandeur, est le second du monde entier, de maintenir pendant un demi-siècle la paix intérieure. Elle a surtout permis à la France de traverser la plus grande tragédie de son histoire de supporter pendant quatre ans l'invasion d'une partie de son sol, de repousser l'ennemi qui voulait l'esclavir, de remporter la victoire, de restaurer ses régions dévastées. D'autres peuples à travers le monde ont vu se produire des coups d'état, des pronunciamientos, des révolutions; certains ont roulé vers les bas-fonds du bolchevisme, certains ont eu recours à la dictature. La France, elle, est demeurée républicaine.

Peut-être la part faite à la liberté dans sa constitution est-elle trop grande. Mais il faut faire confiance à la liberté. Elle se

disciplinera, elle s'assagira avec le temps. La liberté est si belle qu'on peut lui passer quelques défauts, elle est si radieuse qu'on peut lui pardonner quelques excès. Elle est comme le soleil dont on blâme parfois les ardeurs mais qu'on met au-dessus de tout au monde parce qu'il est la beauté et la source même de la vie.

THE FRENCH CONSTITUTION

BY MAXIME RAYMOND PUEL, *French Spokesman*

Henri Poincaré Secondary School, Nancy, France

THROUGH the troubled centuries of her history, France always fought for two goals: Liberty and Authority.

When a monarchy, in which state she became united, great and powerful, she possessed authority, but her people suffered from lack of freedom. In 1789, after a century of craving for liberty, that people shook off from its shoulders the yoke of monarchy and made the Revolution. The Revolution did not last. It could not last because those who had made it and fought together for the same ideal began to fight each other, and could not give the country the authority it needed. Then came Napoleon. He abolished the Republic and re-established authority, but at the same time suppressed all liberty. For sixty years the struggle went on between the two principles, and in turn both liberty and authority had their hour of triumph. France successively passed from one to another. Finally, in 1871, the Republic was proclaimed, and the same Republic, in 1875, was founded on the actual Constitution in practice since then.

This Constitution may not be perfect—perfection in human things does not exist—but it is a model of harmony and wisdom. It seeks above all things to establish a perfect balance between the two great principles so dear to the French people: liberty and authority.

Authority belongs to the executive power, which is represented by the Government. This Government sees to the application of the laws, creates official and military charges, commands the army, the Magistracy, the police, and maintains peace and order within and without her walls. But the Government is responsible for every one of its actions before the Chamber of Deputies, which is elected by the people, and before the Senate, elected by representatives of the people. Thus the Chamber and the Senate not only have the legislative power, that is to say, the power of making laws, but they have also the power to control the execution of those laws and to see to their administration. In fact, the last word always belongs to the Chamber and the Senate. The government must yield to them if, by one vote, they disapprove its doings. The Chambers are the real sovereign of France. The people are free to choose their representatives and

these are free to vote as they wish. Liberty rules, and authority in the hands of the Government is put into vigor only in the name of Liberty and with the support of Liberty.

In the French Constitution, the head of the country, the President of the Republic, has a specific charge. He is not elected, as in America, by the people, but by the representatives of the people, Deputies and Senators, assembled in congress at Versailles. He does not possess, like the President of the United States, an absolute authority, permitting him to act without consulting his legislators. On the contrary, the French President must consult his legislators regarding each one of his actions. He cannot appear in public without being accompanied by a Deputy or a Senator; he cannot deliver a speech that has not been submitted to the assembly; he cannot write an official letter which has not been approved by the assembly.

Such a dependence has often been laughed at. But one should not laugh at it. This dependence was provided for wisely by the great French Republicans who made the Constitution of 1875. They wished to relieve the President of all responsibilities and at the same time of all criticism. They wanted him to be above the dissensions of political parties and remain the Supreme judge of those parties. What they have wanted him above all else to be is, namely, a great adviser, and they thought that he who acts as he wishes might be a poor adviser.

And why compare one Constitution with another one? A Constitution should be judged in itself, according to the customs and traditions of the people for which it is made. A famous French statesman, Mr. Aristide Briand, re-elected ten times Prime Minister of France, gave this definition in his usual picturesque manner: "A constitution is to a nation what a suit of clothes is to a man. One must judge the clothes by their durability and their fit."

If this definition is correct, then the French Constitution of 1875 is the best that could be given to France. It has existed, as I have said, for 51 years and, after half a century, all Frenchmen think so much of it that no one ever thought seriously of changing it. Thanks to it France has been able to recover from her wounds of 1871, and to conquer a colonial empire which ranks as the second largest in the world. Thanks to it, France has been able to go through the greatest tragedy of her history, able to stand during four years the invasion of a part of her soil, to push back the foe who came to make a slave of her, to conquer, to rise from the desolation of her ruins.

Some nations have seen revolutionary attempts, pronunciamientos, revolutions. Others sank deep into the horrors of bolshevism. Others turned to dictatorship. *France remained Republican!* It may be that in her Constitution, Liberty has too large a part, but, we must trust Liberty. She will discipline herself. She

will become wiser with age. Time will make her wiser. Liberty is so beautiful that we can overlook some of her faults. She is so radiant that we can forgive her occasional blunders. She is like the Sun, the radiant Sun, often too ardent, but precious above everything in the world, because He is the Beauty and the very Source of Life.

NATIONAL FINALISTS, 1926

SECOND PRIZE

AMERICA'S CONTRIBUTION TO CONSTITUTIONAL GOVERNMENT

By MYRTLE POSEY,

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LET me open for you a book, the world's guidebook, the nations' text-book, a musty, age-old book with well-thumbed leaves. And yet the ink of the last few pages is still fresh, and the book lies unfinished, and people call it the science of government.

Through its pages I have sought the beginnings of constitutional government and democracy, and found them: First, in the city republics of ancient Greece; second, in the medieval cantons of Switzerland; third, in the England of the Middle Ages; and fourth, in the United States of America. And which one of these was it that finally revolutionized the governments of the world? Was it those tiny Grecian republics? No. They lived and died in a day. Was it those ancient Swiss cantons? No. Remote from other countries, and under conditions peculiar to themselves, they drew no attention. Was it the island of Great Britain? Yes, partly, for her primitive constitution was then shaping and her people enjoyed many liberties, but her central and local governments were still oligarchic. These three were forerunners which prepared the way for another; one which caused the greatest political upheaval of all times, which fired France to rebel, which stirred the principles of liberty and freedom in the many peoples of the world, so that they never forgot, which shook old forms of government to their depths so that they were finally dislodged. "And which was this?" you ask. None other than our own America; America, who awakened the world; America, who through the experience and guidance of those others, has laid the foundations of modern constitutional government; America, who today has become the inspiration and guide to newer and upstruggling democracies.

And what are those solid principles and unique features which so startled the world and make up America's contribution to constitutional government?

Probably the greatest is the theory and practice of the written Constitution. When our Constitution, a written contract resting upon the authority of State and people, was brought forth from that little Philadelphia meeting house the world laughed. But scorn turned to admiration and confidence, and the written Constitution became an ideal that took Europe by storm. Paper plans of government spread over the continent like the waters of a flood. When the waters receded, and the nations dropped their hasty and ill-considered documents, here and there was a constitution that remained fixed. Such constitutions stand today practically as they were created. But nations, like individuals, must learn by experience, and so it is that years have spun their never-ending cycles and nations have fallen and risen again. And today 34 countries of the world stand as witnesses and monuments to this principle, the theory and practice of the written constitution.

Another contribution that deserves very special attention is that combination of Federal and State governments which has been so successful in practice now for almost 150 years. These two authorities, each supreme in its own sphere, are limited and defined one by the other. Each modifies the other and equalizes the distribution of power in both. The nations had sought for such a balance of power for many years, and they seized upon America's idea with eagerness. Canada and Australia, though colonies of England, changed their provinces into states when they established their commonwealths, and brought about the same system of two governments, merged one with the other.

A third contribution was the idea that governments derive their power from the consent of the governed. Government of the people, by the people and for the people is a phrase that, when incorporated into the constitutions of nations, has raised their peoples from slaves and subjects to free men and citizens.

Closely bound to his principle of democratic rule are the guarantees of personal liberties to the common people; life, liberty and the pursuit of happiness, religious freedom, the writ of habeas corpus, the home inviolable, equal taxation, equality of all men, safeguards of property—all laws conceived for the common people and dedicated to oppressed humanity. Turkey and Persia are among the latest converts to a government by the people, in which the liberties of the people are carefully protected.

I would enumerate also the separation of church and state with religious liberty for all. This was indeed a new doctrine which America gave the world, a right for which our ancestors fought, suffered, and left their homes, a principle which laid the foundations of a great nation, our Nation. Many countries, notably France, Poland, Czechoslovakia and Jugoslavia, have followed our example in divorcing the civil and religious powers in the interest of freedom of conscience.

The separation of powers of government into the legislative,

executive and judicial departments is still another famous principle of our Constitution. The limits and checks which the law imposes upon these three departments have been found invaluable in securing better government.

Its most distinctive, original and most American feature is the Supreme Court. This was a complete departure from any known judicial practice, and has proved to be one of the most successful principles of our Constitution, of which it is the sole interpreter.

As the Supreme Court is the final authority in our political system, the Constitution is the supreme law of our land. Other nations have been careful to establish this rule, to guard their freedom and insure internal peace. And our Constitution, a document of liberty, order and self-restraint, stands with but one interpreter, the Supreme Court.

These eight great pillars of our Government, the theory and practice of the written Constitution, a combination of Federal and State governments, a government deriving its powers from the consent of the governed, guarantees of personal liberties to the common people, separation of church and State, with religious liberty for all, the principle of the separation of power, the Supreme Court, and the Constitution as the supreme law of the land, are all American principles which have been embodied in governments in both hemispheres in every continent.

And I close the time-tried book of government with its white unfinished pages, and I think with a fierce pride and a high heart how glad I am that I am an American, one of these millions who live under a Constitution that has imparted so much to the world; one of those millions who live in a country which shines as a beacon light to far-distant lands. And I bring the challenge of duty to all who are Americans to carry on as others before you have so nobly carried on, to watch that light with ardor and tend it with devotion, to keep its flame pure and its lamp unsullied. And our America, which has given so much in the past, which is doing so much in the present, will in the future pass on the light to yet other nations until throughout the earth, everywhere, north, south, east and west, shall glow eternal fires of freedom.

THIRD PRIZE

LINCOLN AND THE CONSTITUTION

By HELEN BYLUND,

Wadleigh High School, New York City.

THE Declaration of Independence stands for the just and reasonable rights of a free people. The Constitution is a

guarantee for the fulfillment and granting of these rights to a Nation.

The United States of America was the first brave and clear-sighted Nation ever to embark on a political sea in such a ship as the Constitution. And, in spite of the vicissitudes through which our country has passed; in spite of her present difference from the little Nation of 1789; in spite of the apparent simplicity of that document, the Constitution still is today the most stalwart and important institution in the United States.

To every great leader of our Government has come a struggle for the Constitution.

The most outstanding and arduous struggle any American has ever had for this Constitution is that of Abraham Lincoln. Abraham Lincoln, the man who crossed the stage at the country's most critical moment; the man to whom was given the lead in the great drama of the Civil War; the misjudged hero who gave his heart, body and soul to his love—America.

There is not a more sublime or inspiring personality in history than Abraham Lincoln. He stands out as the great peace lover, plunged into the horrors of a war where man killed his brother. He is known as the protector of the negro, the promoter of equality, the preserver of the Union—and, besides, he is universally recognized as one of the noblest characters the world has ever known.

This is the man to whom was given the Constitution to guard in the days of the Nation's great crisis.

When Lincoln came into office the condition of our Nation was so grave that any but a strong man would have been stunned. The country was divided. A Confederacy which had broken away from the Constitution was set up in the South with Jefferson Davis at its head. Buchanan, Lincoln's predecessor, had all but recognized the South as a nation. The slave question lay before the country like an open wound, ready to bleed when touched and seemingly unhealable. The eyes of the world were on Lincoln. The people of his own country watched him with open curiosity, quick to criticize, unwilling to trust and eager to attack their leader at a moment's notice. The situation was like the few tense moments when the angered bull in the arena paws the ground and eyes the waving red cape of the matador before rushing on to kill or be killed.

No wonder Lincoln said, "A duty devolves on me which is greater than that which has devolved on any man since the days of Washington." And it is true. No other President had ever faced the peculiar difficulties that he was called to face.

To him was given to solve the problem that had been the main issue before the Government since the days of the old confederation. That is the question of Nation versus State. It is true, those who preceded had laid the foundations for his great decision that was to alter all future history of the United States, but

Lincoln could look to no definite precedent, the Constitution gave him no direction. It was through himself that he achieved victory, through his own sense of right and wrong.

Thus we find that Lincoln disregarded many old constitutional checks upon a President. He realized that it was wiser to sacrifice a part to save the whole. In justifying his actions he said, "Life and limb must be protected. A limb may be amputated to save a life, but a life is never given to save a limb. I feel that measures otherwise unconstitutional might become absolutely indispensable to the preservation of the Union. I have in every case thought it proper to keep the integrity of the Union as the primary object of the contest on our part."

But what Lincoln did to gain his ends is not the paramount issue. It is what he did through his means. It is his victory for the Constitution that he was forced to wring out of the blood and tears of a divided Nation. It is the preservation of unity which remains today the supreme ideal of the land.

Knowing as we do of Lincoln's purpose to save the Union, we can understand his constitutional theory on slavery. In the midst of Civil War he wrote to Horace Greeley and explained brilliantly, "I would save the Union. I would save it in the shortest way under the Constitution. If I could save the Union without freeing any slaves I would do it. If I could save it by freeing some and leaving others alone, I would do that. What I do about slavery and the colored race I do because it helps to save the United States. And what I forbear, I forbear because I do not believe it helps to save the Union."

It is not what Lincoln did directly to the Constitution. It is what he did for the Nation to preserve the Constitution. His direct passing of the thirteenth amendment and his indirect influence on the passing of the fourteenth and fifteenth, gave at last "the blessings of liberty" to all. The Civil War, won through the emancipation of slaves, settled finally and forever that the Federal Government was supreme, and was so through the Constitution. Abraham Lincoln more than any other man has succeeded in giving to the Constitution its rightful place, the place that Washington, Jefferson, Hamilton, Marshall, strove to secure for it.

"To save the Union" was Lincoln's creed—his ideal. Putting all other things aside, closing his heart to all voices of criticism, he walked onward with a firm step toward what his heart and soul told him was right.

He reminds one of the immortal lines of Walt Whitman:

"Darest, thou now, O Soul, walk out with me toward the unknown regions,
Where neither ground is for the feet nor any path to follow?
Come forward, O My Soul, and let the rest retire!"

LINCOLN AND THE CONSTITUTION

BY GUITA F. BEARMAN

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THERE stands in the midst of American history a man, who though half his countrymen drew swords to fight him, friends ridiculed him, enemies scorned him, and the world mocked him, nevertheless succeeded in bringing the Ship of State from troubled waters into the harbor of peace, to the salvation alike of enemies, shunners, mockers, scorers. His goal, the goal of right, was set for him by men who had died before he was born. In 1787, when our Constitution was drawn up, the group of men who served as the authors of the "greatest document struck off by the hand of man" gave to this giant of 1860 the instrument with which to hold together a Union that they had created. And that document had for its protector this tall, gaunt, homely, human man—Abraham Lincoln.

George Washington served our infant nation as the Father of His Country; James Madison served our nation as the Father of the Constitution;—Abraham Lincoln served the nation as the Son of his Country, the Product of the Constitution.

Throughout "Honest Abe's" life ran the strains of the Constitution. Born during the period of its first reading; reared during its first workings; grown to the realization of its great extent and possibility, Abraham Lincoln lived with and for the Constitution.

What influenced those words when, as yet a youth, he saw the blacks sold as slaves in a market in New Orleans. "If I ever have the chance to hit that, I'll strike hard." And through his mind flashed "We the people of the United States, in order to form a more perfect union, establish justice."

Establish Justice—and he was to live for that purpose. What power guided the writing of the Emancipation Proclamation by which all persons held as slaves "shall be thenceforward and forever free"? And again there flashed through his mind, "We the people of the United States." People to him meant men regardless of color or creed.

What Divine Spirit inspired those immortal words at Gettysburg on that cold November morning: "That the government of the people, by the people, for the people shall not perish from the earth." And yet again, "We the people of the United States, in order to form a more perfect Union" flashed through his mind. Union meant North, South, East and West under one flag, the Stars and Stripes, under one document, The Constitution of the United States.

Upon reading the pages of Lincoln's political career, we find that the Constitution was the greatest single influence of his life.

In a campaign speech familiarly known as the Cooper Institute address, Abraham Lincoln paints in two sentences the meaning of that document. He said: "What is the frame of the governments under which we live? The answer must be the Constitution."

And then—the Civil War added bloodshed pages to American history. It was not personal prejudice that caused Lincoln to sacrifice the lives of men, women and children. It was not personal prejudice that caused him to sacrifice fortunes and peace.

It was not personal prejudice. No! It was the desire to save the Constitution. In order to save that sacred document from being demolished, he plunged his brothers, his fellowmen, his countrymen into war. Sent them through a veritable four year hell!

His principles, his prejudices, his very life were based on the Constitution. That document to him was all the darkness of the Middle Ages—blotted out; all the horror of the French Revolution—ended; the Divine Right of Kings hurled from its pedestal.

And on the other hand, it was all the glory and the beauty of the Creation, all the hope and the inspiration of the Renaissance, all the strength and courage of the Pilgrim Fathers condensed and magnified into one big creative and protective force—the Constitution.

Why did the Constitution have such an effect on Abraham Lincoln? To him it was perfect government, real justice. It was the essence of world ethics. It was the inspiration of many down-trodden countries. It was the pattern for the South and Central American countries; it was the instrument that gave strength and courage to Bulgaria and Roumania to demand their civil and political freedom and set up governments of their own. It was the stepping-stone from Runnymede to Chateau Thierry, from Louis XIV with his "I am the State," to Woodrow Wilson's "Make the world safe for democracy."

JEFFERSON AND THE CONSTITUTION

By ANN HARDIN

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ON May 25, 1787, there met in the city of Philadelphia the greatest array of intellectual talent that ever assembled in the history of the world. These men, fifty-five in number, came together to draft a constitution and to set up a government for the United States of America. The Articles of Confederation, adopted by the Continental Congress in 1777, could not be said to have formed a government, although they were drafted and submitted to the thirteen original states for that purpose. By

the provisions of these Articles there was a congress of one house, but no power was provided for the enforcement of its acts. Congress was given authority to levy taxes, but no power to enforce their collection. Any national law could be, and frequently was, nullified by the action of one State. At the time the Constitutional Convention met the National Treasury was in a deplorable condition, a great war debt hung like a pall over the country, the soldiers who had served through the war for independence were clamoring for their pay, and Congress was powerless.

These humiliating conditions caused thoughtful men of the infant republic to realize that unless a stronger government was formed the fruits of the Revolution would be lost and the Civilization in the Western World fatally impaired. Is it any wonder, then, that the delegates to the Convention of 1787 realized the magnitude of the task that had been assigned to them, as well as the disastrous consequences that would follow their failure to meet the responsibilities of that task?

After four months of labor the Convention produced by far the most important document of its kind in human history. It created, without historic precedent, a federal-national government, a democracy in a republic. It combines national strength with individual liberty in a degree so remarkable as to attract the admiration of the world.

No citizen of the Republic, with the possible exception of Madison, contributed more to the formation of the constitution than Thomas Jefferson. Jefferson had succeeded Franklin as Minister to France in 1785 and was, therefore, not a member of the Constitutional Convention, but his spirit is written into every section of the Constitution. The friendship of Thomas Jefferson and James Madison forms one of the most beautiful chapters in the political annals of America. It is, therefore, no reflection on the brilliant attainments of Madison to say that he was, to a very large extent, an understudy of Jefferson. While Madison is rightfully called the "father of the Constitution," many of the ideas which he was able to incorporate in that instrument had been worked out in correspondence with Jefferson. The Declaration of Independence had been penned by the hand of Jefferson and through Madison he breathed into our constitution some of the sacred sentiments of the immortal document proclaimed to the world on July 4, 1776.

Never before in the history of man has a government struck so fine a balance between liberty and union, between state rights and the powers of the national government. The world had labored for ages to solve this greatest of all governmental problems, but it had labored in vain. Greece, in her clamor for liberty, had forgotten the need for the strength that union brings, and she perished. Rome had made the opposite mistake. She fostered union—a strong central government—until it be-

came a tyrant and strangled the liberties of the people. It remained for our Revolutionary forefathers, inspired by the wisdom of Jefferson, to unite these opposing powers and to join them in "a perpetual wedlock" in such a way as to secure the blessings of both. So well balanced are the three great coordinate branches of government that each has functioned for more than a century without serious conflict with the others.

Today there is a strong tendency to have all activities of the people regulated and controlled by Federal Bureaus. No greater menace to the liberties of the people and to the continued development of republican institutions could possibly be conceived. It would not be becoming in an American school girl to question the wisdom of the people in making this change in the Constitution, but I may be pardoned if I hide my own ignorance and inexperience behind the collective wisdom of Washington and Adams, Jefferson and Madison, Monroe and Hamilton, Randolph and Gallatin, Marshall and Franklin, by venturing the opinion that the framers of the constitution were right and that we, by permitting the steady absorption on the part of the national government of powers entrusted to the states alone, are undermining one of the very greatest of our constitutional bulwarks—dictated by Jefferson—"a sovereign nation of sovereign states."

Thomas Jefferson's service to constitutional government is not to be measured alone by his contribution to the formation of "the supreme law of the land." It was through his interpretation of the constitution and by the application of its principles to the affairs of the nation, while acting as its Chief Executive, that his greatest service to this country and the world was rendered. To Jefferson alone we owe the principle that "he governs best who governs least" and the doctrine that "all powers not expressly granted to the Federal Government by the Constitution are reserved to the states." To him we are indebted for the American principle of "equal rights to all and special privileges to none." To him we owe the separation of church and state, the greatest blessing that has been vouchsafed to the nation. To him we are indebted for freedom of speech, freedom of the press and freedom of conscience. Thomas Jefferson, an aristocrat by birth and training, became in spirit and practice the greatest democrat of his age.

The great theory to which his genius was devoted may be expressed in the one word "democracy." And in this the spirit of its founder lives in all of our political parties. Jefferson has stamped his individuality on the American government more than any other man. Democracy—the guiding principle of his life—is supreme in America. All constitutions, laws, congresses, and courts are subject to this great, final, national tribunal—the people. No statesman can rise above and disregard this power; no act of congress is so stable that it may not be ground to powder by the weight of public opinion. This vast being—the public—has

discovered his strength and for this discovery we are indebted to the Constitution of the United States of America and above all men, to Thomas Jefferson. To these sacred principles we have devoted the wisdom of our sages and the blood of our heroes. May God give us the courage, the wisdom and the fortitude to carry on.

THE CONSTITUTION

By JOSEPH A. MULLARKY,

Academy of Richmond County, Augusta, Ga.

THE nineteenth and twentieth centuries have witnessed the most marvelous progress in every department of human effort. The creative genius of man has given the world a wonderful array of splendid achievements and set new standards in the fields of science, of literature, of industry and of statescraft. The crowning success of all mankind, the mightiest triumph of civilization, is the republican form of government, which we, as Americans, have the distinction of having instituted and perfected. Yet unfortunately there are some among our countrymen who fail to perceive that the fountain source of all our blessings, the very foundation of our republican government, and the security of our republican institutions, is our sacred Constitution.

The Constitution of the United States is the masterpiece of political science. It is not only the greatest document of its kind in the world, but it is also the fully matured fruit of man's age-long struggle for liberty. The basic cause of oppression in the past is to be found in the supposition that the source of all law and authority must be in a monarch, or, at best, in a nobility. The Revolutionary Fathers, however, settled this question for all time in the clear and precise words of the sublime Preamble: "WE, THE PEOPLE . . ." Then, in the noblest, and at the same time most complete statement of a great purpose, in a few short lines, they laid down the basic principles upon which must ever rest the highest degree of human happiness, and thus likewise the fundamental condition for the achievement of the greatest possible human progress. Thus we destroyed forever the basis of tyranny. Authority was given back to the people, the rightful holders of it under God.

One of the explanations of the great success of our Constitution must be recognized in the separation and balancing of the three great Departments of Government, as provided in the First Three Articles. The power to make the laws is vested in a Congress elected by the people. The power to execute the laws is conferred upon a President, likewise elected by the people. The power to construe the law and judge transgressors of the law is given by the people to the Judiciary alone. Each branch

of this government has its own peculiar function; each is supreme in its own domain. Thus was solved the greatest of all governmental problems. Thus at one mighty stroke was achieved government as the expressed will of the governed; protection of the people against the arbitrary will of any of the created agencies of government; and a perfect co-ordination of all the parts of the machinery of government into one mighty working unit. In this manner was the death-blow struck against these evils that sprang from the concentration of power in the hands of an individual or of a class. Out of the inspired consciences of men, freedom was born anew for the sons of men, and 'round about it, for its eternal protection, were set the sentinel fires of Anglo-Saxon democracy.

The Fourth Article has created the Nation by uniting into one political body forty-eight sovereign and independent States.

The Fifth Article may be justly styled the Fountain of Youth, for by providing a method of amending the Constitution, this document retains its vigor and youth, and may be kept abreast of the advances of our civilization.

And since the new government was to be a government of the people, for the people, and by the people, the last article provides that the Constitution shall be ratified by those in whose name it is issued THE PEOPLE.

Under this great and strong government, the rights of the individual are secure from infringement. By the first ten Amendments, known as the American Bill of Rights, the individual is expressly made secure in his person—from arrest without warrant, from detention without privilege of bail, and from trial except by a jury of his fellowmen. He is secure in his home from entry or search without due process of law; secure in his property from seizure without just compensation. He has freedom of speech, freedom of press, freedom of assembly, and freedom of petition and protest. Finally, a new kind of freedom is created by the Constitution—the first time it had ever been written into the fundamental law of the nation—the American citizen is free in his conscience, free to worship his God in the manner that appeals to him, without incurring any civil disability. One or another of these expressions of human liberty had emerged along the centuries and become articulate for a time above the chaos and confusion, only to be lost again in the mad scramble of monarch and noble to save absolutism and tyranny. So it remained for that illustrious group at Philadelphia to gather up the best hopes of mankind from the wreckage of history, to breathe into them a new inspiration, and to re-vitalize them with the new-born promise and the pulsating strength of an everlasting life.

Our immortal Constitution gives us a government as strong as any government ever was; and we are as people freer than any people have ever been since the dawn of history. Authority

is there, but liberty is there also. To us, "the heirs of all the ages, in the foremost ranks of time," is bequeathed not only this gift of America to the world, but the temper and the spirit of the greatest race among men, to cherish, uphold, defend and transmit it to the generations yet unborn.

Not only does the recital of these vital facts explain why the spirit of the Constitution has permeated every corner of the earth and revived hope in the bosom of millions, but it also explains why our beloved country under its protection has risen from a puny, insignificant confederation of states into what is now recognized as the greatest nation of the world. The products of American forest and field and factory contribute to the comfort and well-being of every race in every clime. The results of American research in every field, the inventions and discoveries of American brains, and the moral concepts of the great American heart set the standards of enlightenment for all the peoples of the earth.

Has not, then, our Constitution fulfilled generously and to overflowing the noble purposes expressed in its preamble? Though vast in domain and population, we have achieved the true unity of a great nation. Though diverse in race and creeds, we exemplify the brotherhood of man. Though complex in our economic and social structure, we administer justice with an impartial hand. Though untrammelled in conscience and free in speech, we live at peace with ourselves. Though bound up intimately through intellectual and economic interests to every part of a warring world, and at times in this century and a half called upon to defend some of the sacred principles of our fathers, not for one time have we failed to triumph over the foes of this republic.

Let us not forget that the principles of our Constitution were not peacefully won. In its completed form, it represents the consummation of centuries of struggle between the forces of tyranny, oppression and absolutism, on the one hand, and the forces of liberty, justice and democracy on the other. With the birth of the American Constitution this eventful struggle reached a decisive climax. Henceforth, free government was to be the ideal of the world's best statescraft. The world-wide success of this ideal is admirably attested by the very nature of this contest, wherein our brothers of other lands are to unite with us in extolling the blessings of freedom and good government. So, therefore, on this auspicious occasion, we, as Americans, may feel a just pride in the fact that we have given to the world as a model the greatest system of free government that the mind of man has yet devised.

Let us revere this sacred heritage; let us safeguard, cherish and protest it, so that, as it has been a harbor of safety in the past—that past with its trials and triumphs—and is now the support of our present—this present with its peace and prosperity—

it may be ever the beacon light of our future—that future of radiant promise for our land.

THE CONSTITUTION

By THOMAS P. CLEARY

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WHILE the Roman Empire reigned supreme among nations, the proudest boast of the Latin tongue was—"It is a sweet and glorious thing to die for one's country." When that zealous spirit became chilled with unbearable taxation, when serfdom and slavery quenched the fires of patriotism, Rome fell. So through the ages, love of one's country has been the moving principle of progressive nations. Tonight with reverence born of patriotism, let us withdraw the all-encompassing veil of Time to consider that marvel of world history, the United States government, and allied with this, its basic foundation, the American Constitution. Through such contemplation, may we become more ardent, more zealous, more patriotic Americans.

For two thousand years, men had striven to form an ideal government, one that might withstand the acid test of Time, the hecklings of propagandists, the perils of internal dissension. King, emperor, despot, czar—all these have flourished for a space, then disappeared, the castaway playthings of humanity.

In the spring of 1787, with a nation's destiny in doubt, with three million people engulfed in poverty and dissension, a representative body of patriots entered upon the task of founding a government that would preserve intact the independence that had been so gloriously obtained. Inspired by the heart-rending condition of the populace, they carefully weighed the merits of Old World customs and Old World laws. Balanced on the exacting scales of justice, liberty and welfare, pristine methods of government were found wanting. Cold reason proved them failures, because the despots of Europe had scorned the God-given rights of mankind, and totally disregarded the people's desire for domestic tranquillity. Our republic was to be built on a new foundation. It was to be built on the principle, strong as the rock and as eternal as the hills, that Man has certain inalienable natural rights, which are prior to, and independent of, government; that every legitimate form of government must safeguard these rights. In a word, that the State was made for the citizen, and not the citizen for the State.

To the nations of the earth, we proudly fling forth this new Gospel of ordered Liberty. As Randolph Leigh in discussing the plan worked out in the Constitutional Convention, aptly says: "Here was the germ of what was in reality a four-phase government—executive, legislative, judicial, and the people, the relation-

ship of all to one another, set forth in a written Constitution." The check of one branch upon the other is sharp, the balance precise. No one department can, as in some European countries, proceed with disregard of every other department of government. The legislative branch makes the law; and the courts interpret it—the third branch of government is personified in the President, the administrator of the laws, the first citizen of the land. He is the real, though uncrowned ruler of the nation. Besides equal suffrage, the Constitution guarantees for all, freedom of speech, freedom of worship and the right of appeal to the Supreme Court of the country.

Now to some the constant repetition of these fundamental principles may seem dry and devoid of interest. But to the real American, to the true patriot, to the follower of Washington—and Jefferson, this doctrine is the life-blood of the nation, pulsating through every vein of national, State and local government. Had not the framers of our Constitution organized this system of balanced power; had not the divisions of our Government been clean-cut and distinct; had not the rights of each division been clearly defined, this nation would still be in the throes of internal dissension, with a great gap of discord between a law, its interpretation, and its enforcement. Write this infallible truth on the horizon of governments: "A nation divided against itself, shall come to desolation."

To any nation suffering under the blight of tyranny, we offer as a panacea for its woe, the successful principles of natural rights, on which the Federal Constitution is founded, together with the rock-bound dogma of one government and one union, representative of, and restrained by, the judgments of the people. The people's rights have always been sacred in the eyes of God, and governments must ever hearken to the voice of the people. The Constitution, in its few, but prudent amendments, has shown reverence for the rights of the people, and the wisdom of this document, is justified by the happy results. Surely, a nation of one hundred million citizens, with ships on every sea, its banner unfurled in every land, its presidents respected by king and foreign potentate alike, can point to but one conclusion. America is powerful because her Constitution is powerful, and America's power will remain, until her Constitutional principles are no longer dear to the heart and sword of Americans.

With president and citizen joined in the lasting bonds of co-operation and harmony, the future looms before us. Shoulder to shoulder, the government and the people are marching on, bearing aloft their inviolate standard of liberty—our immortal Constitution. Shall peace and safety, progress and welfare, freedom and justice, always dwell in our United States? Ah, yes, as Franklin once exclaimed, "God governs in the affairs of men!" And God together with our sacred Constitution, will guide America to heights sublime in history.

For, America, you stand for the rights of the people, like that statue at the entrance to New York harbor, a beacon light of liberty and justice, shining out in the dark night of human tyranny, and over the wild, racing waves of human oppression; and, America, you are our native land. Beneath your flag we live; beneath your flag we are proud to die, with Webster's immortal words upon our lips: "Thank God, I, too, am an American."

FIRST PRIZE (1925)

THE CONSTITUTION

By ROBERT SESSIONS

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ON Chestnut Street, in Philadelphia, still stands the old State House, better known as Independence Hall. Here in May, 1787, came the delegates to the Federal convention, the men who were to "fill history with their deeds and the earth with their renown." Four months thereafter their work was done. They had framed the Constitution of the United States of America. In the words of Fiske, "it was a colossal work, the results of which were most powerfully to affect the whole future career of the human race so long as it shall dwell upon the face of the earth."

There are many interesting phases of the Constitution which must be passed over in order that we may consider, within the time allowed, the primary purpose of the fathers in framing the wonderful document. The purpose, as a whole, is set forth in six clauses of the preamble, but it is only of the last that I shall speak, namely, "to secure the blessings of liberty to ourselves and our posterity." In considering this part of the Founders' purpose, we should never lose sight of the fact that they drew a broad and vital distinction between liberty and license. They aimed at government without despotism and liberty without anarchy. Rational liberty was what they wanted—that liberty tempered by self-restraint. To them the despotism of democracy was no better than the despotism of an oligarchy. The tyranny of the majority was as much to be dreaded as the tyranny of a monarch. They aimed to protect the minority as well as the majority. Accordingly, they set up for us not what is sometimes referred to as pure democracy, but, on the contrary, a responsible, representative government, designed to guarantee the greatest possible amount of individual liberty consistent with the interests of society.

It should be known first of all that there are certain natural rights of the individual—such, for example, as those relating to life and liberty, trial by jury, religious freedom, the ownership of property—and many others—the heart and core of the Declaration of Independence itself, the recognized birthrights of every

man since the days of Magna Charta. These have been woven into the very fabric of the Constitution and held inviolate against all the powers of government. Moreover, there is a further protection of liberty guaranteed through an effective system of constitutional restraints, commonly known as checks and balances. These are designed to restrain the exercise of arbitrary power or irresponsible authority. For instance, there is the division of government into the three well-known departments, "each being prohibited from exercising any authority held by any of the others." There is the difficulty of amending the Constitution, a matter which rests solely with the sovereign people themselves. There is the fearless, independent federal judiciary, itself a mighty guardian of liberty, headed by the Supreme Court, a body which Bryce says "is not to be deemed so much a third authority in the government, as the living voice of the Constitution, the unfold of the mind of the people whose will stands expressed in that supreme instrument." These are a few of the many constitutional checks against the abuse of power, which, taken along with the actual incorporation into the Constitution itself of certain natural rights of the individual, constitute for us our Rock of Defense, the bulwark of safety for the liberty of every individual. Such was the primary aim of the founders of our government.

It is nearly a century ago since Lord Macaulay, arguing against the stability of republics, said: "As for America, we appeal to the twentieth century." Ladies and gentlemen, in all the splendor of its achievement the twentieth century is here, and the old Ship of State is proudly sailing on. The Constitution went into effect 136 years ago, during which time there has surely been enough to test its fiber. Since that time this country has passed through the fires of a Civil War and established, once for all, the fact that this is a union of States, "one and inseparable." The thirteen States, with a population of three and one-half million, have grown to forty-eight States, with a population of over a hundred million. In the World War we loaned the Allies over ten billion dollars, raised four million troops on this side, two million of whom went across to fight Germany on French soil in defense of liberty for all the nations of the world.

Yet the Constitution as it stands today, though it has been moulded by judicial interpretation and broadened by usage and amendments, to keep pace with the step of a mighty, growing nation, is the same Constitution in its sacred guarantee of individual liberty. This heritage of liberty safeguarded and bequeathed in trust to us by the fathers of '87—what shall we of this generation do with it? The answer is clear. We must pass the priceless treasure on, unshackled and secure, to the next generation. The challenge is to you and me and everyone who loves this country and enjoys the "blessings of liberty" under the American flag.

Soon after the adoption of the Constitution, and before it went into effect, Washington, in a letter to Lafayette, wrote these significant words: "The government can never be in danger of degenerating into a monarchy, an oligarchy, an aristocracy or any other despotic or oppressive form, so long as there shall remain any virtue in the body of the people." Ladies and gentlemen, the words of Washington clearly point the way to the task before us. We must maintain virtue in the body of the people. For one thing, we must face with courage, good temper and common sense that question touching the assimilation of the foreign element of our population. No doubt the laws should be better regulated and our efforts at assimilation more intelligent and efficient. We would not be misunderstood. To all those who would come from other lands to help us preserve the fundamentals of our government and make this a better country in which to live, we would extend the heartiest welcome; but we should never yield the right to be judge of standards. We would have the world to know that the mere coming to this country entails a solemn obligation, and it is ours to see that the obligation is met. Again, we should further the popular means of increasing interest in and reverence for the Constitution of our country, so that it will be revered no longer as an abstraction, but as a vital thing, understood and valued. Beginning in the home and public schools of the land, we should instill greater respect for law and order, which is not blind acceptance of arbitrary control, but willing obedience to what is right and reasonable. We should educate the masses in the duties of good citizenship, in a better understanding and appreciation of the spirit of the American government, in the broader meanings of patriotism, and a stronger devotion to the flag and the glorious things for which it stands.

Let there be virtue in the body of the people, and we shall hand down to "our posterity" those "blessings of liberty," bought with the blood of the patriots of old, and preserved by the fathers in the finest example of free government the world has ever known.

SECOND PRIZE

JOHN MARSHALL AND THE CONSTITUTION

By EUGENE F. McELMEEL

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OUR beloved country seems to have been favored by a special Providence in the selection of the men who have guided its destiny in great crises. The fine idealism and lofty character of Washington inspired the confidence and courage and induced

the willing sacrifices necessary to sustain the long and desperate struggle for national liberty; the simple faith and gentle patience of Lincoln led the nation through the storm and stress of civil war to the goal of final victory for union and freedom. In the momentous struggle to achieve a definite national character and secure the stability of its institutions, the nation had at its service for thirty-four years, in the high office where his special talents were of paramount and permanent value, the incomparable mental endowments, the clear conception of sound political development, the commanding will and unyielding courage of Chief Justice John Marshall. This great, this gifted man, belongs to that illustrious group of America's immortals; he deserves to stand, by right of his ability and of the supreme worth of his contribution to his country's vital needs and interests, in the very foremost rank of the founders of the nation.

When, in 1789, the new government established by the Constitution was launched, there were in the nation two conflicting theories as to the nature of the institution that had been formed; one, that of a strong, central government, sovereign and independent, acting directly on the citizens; the other, that of a weak, confederated league, acting only on and through the states. The supporters of the former theory held that there had been created in the new government a supreme authority, having power within its sphere to control the action of the states; the advocates of the latter theory contended that the states were still sovereign and could accept or reject at will a law of the national government, or withdraw from the union altogether if they chose. It was Marshall's imperishable achievement to establish correct principles of political evolution, upon which has been erected a government that has functioned with marvelous efficiency under the most diverse political, geographical and economic conditions. Marshall's purpose, as chief justice of the Supreme Court of the nation, was to give to the government the character which he believed its founders intended and sound principles of jurisprudence required. Only in this way, he perceived, could the government maintain its authority at home and its prestige abroad, and thereby render a genuine service to the people. To achieve this result he sought three things: the stabilization of the business structure of the country through the principle of inviolability of contracts, the independence and supremacy of the central government, and the establishment of the national judiciary as the unifying and steadying force in the nation.

These vital objects were attained through a series of forty-four masterly decisions, written or inspired by the great chief justice. He secured the stability of business through invoking the principle of legislative good-faith in respect to private contracts and public grants; he gave the Supreme Court its unique place in our governmental system by boldly asserting its exclusive right to interpret the Constitution and the laws; he established the

supremacy of the central government when he declared that the Constitution did not create a mere league of sovereign states, but was a fundamental law, ordained by the people of the United States; that its adoption brought into existence a nation, not a federation; that it was not created by Congress, or the executive, or the states, and did not belong to them, or to any of them, but it did belong to the people, for they created it, and in their name and by their authority he would declare its independence and assert its power. Marshall's claim to pre-eminence as statesman and jurist will therefore rest upon his true conception of the Constitution as the Safeguard of the People's Freedom, and of a strong, central government, of independent authority, as the appropriate instrument to preserve its essential principles. Upon these principles as a foundation the American people have builded a political structure, strong, symmetrical, enduring. No other nation in the world today holds a place so secure, so honored, so confident of its power to achieve a glorious destiny, as ours. America stands everywhere for freedom and progress and peace. She has preserved and expanded the liberties of her citizens and has proved to the world the worth, the dignity and the stability of government by the people. And she offers today, as she has offered from the beginning, the freest and fullest opportunities for the development of all that is best and noblest in human institutions and human life.

And yet there are men and women now living under the protection of the flag, and sharing in the blessings of its freedom and its peace, who seek not to preserve but to destroy the charter of our liberties. But such as these understand neither American aspirations nor American ideals; such as these do not hold at their full worth those precious principles which are the fruits of seven hundred years of struggle for human rights; they have never caught the spirit of the bold barons of Runnymede nor of the ragged heroes of Valley Forge, Yorktown and Saratoga; they have never marched in the vanguard of liberty along the steep and rugged highway of freedom, of which Magna Charta, the Bill of Rights and the Immortal Declaration are the mighty mileposts. They forget that the American ideal is government with order, liberty regulated and protected by law; and they challenge a watchful and intelligent citizenship to forever defend, with the spirit and courage of John Marshall, these great principles of our orderly freedom. Within the sanctuary of the temple our fathers have raised, guarded by the spirits of our patriot living and our soldier dead, reposes the sacred trust of American Constitutional Liberty; let no impious hands ever profane the American Ark of the Covenant; let only true patriots stand sentinel at the gates, lest traitors, masquerading under the banners of reform, be allowed to pass in and destroy the American Temple of Freedom.

To those insidious forces of evil, let America oppose, under

God, the powerful forces of justice and truth, of honor and courage, of loyalty and patriotism, and these will forever preserve a nation that represents a new spirit, a new faith, a new hope for mankind. And may a gracious Providence grant to America in the future, as in the past, inspired leaders who will organize and direct these potent forces to guard our sacred trust. For in thus maintaining the principles of the Constitution and defending our heritage of freedom, we honor the memory of those devoted men who nobly dared to demand these liberties for themselves, and then wrought to preserve and transmit them unimpaired to posterity. We honor the names of Washington and Hamilton, Adams and Madison, Jefferson and Franklin, heroes and patriots—the truest treasures of the nation; and high among them all we place the name of John Marshall, whose surpassing genius lives again in the very spirit of our nationality; whose priceless contribution to his country was to breathe into the corpus of its government the breath of self-sustaining authority; and who reared his own enduring monument in building that splendid structure of National Unity, National Stability and National Power.

THIRD PRIZE

THE CONSTITUTION

By MAX N. KROLOFF

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ON the fourth day of last March, President Coolidge was officially installed as the thirtieth chief executive of America. At that time the administrative policies and legislative programs for the next four years were outlined. The membership of the Congress was materially changed. But the American government functioned on the morrow as it had on the day before. And we, the American citizenry, with little thought as to the significance of the events, maintained and continued to enjoy our individual rights of freedom in thought, religion, action and speech; and our national security, unity and prosperity—under the protection of the American Constitution. So, at this time, when our government swings into a new cycle of operation, at this time when seemingly we are too prone to accept the privileges and protection of Americans and regard too lightly the consequent duties and responsibilities of American citizenship, it is well that we contemplate and appreciate that document which is the foundation stone of our governmental existence.

We sometimes forget that conditions were not always as they are. Before the American government came into being there

prevailed the theory that all sovereignty rested in the monarch. The king was all-powerful—his subjects mere pawns to be moved at his pleasure. Gradually, however, there spread over Europe a restlessness, an unseen spirit of dissatisfaction. Men began to think. Dreamers pictured vague and fantastic worlds where all men were equals; cynics loosed pointed tongues against the flagrant oppression of royalty; philosophers sought and disseminated at every opportunity the newly conceived truths of individual rights and liberty. This feeling and philosophy found their way to America. The colonists, with their desire for freedom aggravated under the tyrannical rule of the English monarch, crystallized this feeling and justified their act in the Declaration of Independence. Through it they revolutionized the entire theory of government. For the first time it was officially recognized that men have certain inalienable rights, and that to secure these rights, governments are instituted among men, deriving their powers from the consent of the governed. Before this epoch-making document, men were the tools of government. After this epoch-making document, men were men, and government their instrument. But such a declaration, significant as it was, was not, in itself, sufficient to assure men their rights. There remained the great problem of instituting a government strong enough to guarantee these rights, yet one which would not assume monarchical powers. The Constitutional Congress proved a miserable failure. The public debt grew large. Foreign countries refused additional loans. Commerce among the colonies was impossible. The American soldiers were ill-clothed and starving. Rumblings of dissatisfaction arose from every public discussion, and the colonies were on the brink of anarchy.

With such conditions prevailing, amid demands for a strong state government from some, for a strong central government from others, it was a brave group of men indeed who assembled in that Philadelphia convention hall. There was General Washington, the most loved man of the colonies and chairman of the convention; Benjamin Franklin, the colonial wiseacre, grown old in public service; Alexander Hamilton, with his keen logic and youthful fire; James Wilson, Edmond Randolph, James Madison and others—wise, experienced, framers of the Declaration of Independence, lovers of peace, but holding a greater love for individual rights and freedom. With them also was the spirit of all the liberty-loving peoples before them. The Bill of Rights, the Magna Charta, the dreams of Rousseau, the cynicism of Voltaire and the practical statement of political principles by Montesquieu, became their guiding influences. Though their task was difficult, they persevered. After debates and deliberations, they formulated and gave the American people the most idealistic human, yet practical document that the mind has ever conceived—The American Constitution. The American Constitution recognized that governments derive their powers from the consent

of the governed. It permitted each man to do as he wished insofar as he did not encroach upon the similar rights of his fellows. By frequent elections, this government was to be ever responsive to the will of the people. By an ingeniously conceived system of checks and balances, unlimited power was given the public servant who promised good for the common welfare, and innumerable checks were placed upon the one who attempted to use his position for selfish ends. Thus it constructed a government, conservative and stable, guaranteeing the utmost in individual freedom, and responsive to the will of the majority. It is the model for all the world. It reaches back, past the revolutions of France, the monarchies of Germany and Russia, the tyrannies of England and Spain, and comes back to us today, having outlived them all, strengthened through their failures, and standing out as our guarantor of justice, equality, freedom and democracy.

But hold. As we rejoice in the glorious history of the American nation, as we proudly perceive the foremost rank it holds today, let us remember that our Constitution—our government—is not miraculous in its working. It will be strong only so long as the American citizens are strong. Can it be that we today hold lightly that fundamental rule of the majority? They tell us that we are lax in the performance of our citizenship. Can it be that we have enjoyed liberty so long and so cheaply that we do not appreciate it? They tell us that our courts are unjust and that our children are enslaved for profit. Can it be that we need a new declaration of equality, freedom and independence? Many tell us such is the case. If it is so, let us arouse a righteous anger! Let us uproot such insidious evils! Do so by applying the liberty and freedom-assuring spirit of our Constitution. Its magnificent principles will solve our modern-day problems as they have solved our problems in the past. And in applying these ideals of freedom in speech and religion, individual liberty and equality, and collective justice; in transforming such ideals into actualities, we shall carry out that for which America was destined. America—the ideal, the reality—declared by Jeffersons and Franklins, defended by Washingtons, strengthened by Websters and Marshalls, preserved by Lincolns, and whose future rests in the American Constitution.

THE CONSTITUTION

By FLORA M. LONGENECKER

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WE who were born in a free land, who have never felt the galling yoke of serfdom and despotism, of restriction and suppression, are too prone to accept freedom and liberty as a mere matter of course, just as we accept the sunshine of the

present day, without regard to its blessings. Perhaps it is difficult to appreciate fully those things which we have never been denied, yet it seems almost a tragedy that the true and beautiful significance of our Constitution and all it stands for is not indelibly written in the hearts of every man, woman and child in our nation. Shall we look upon our Constitution merely as a working plan for the conduct of the affairs of our government, or shall we not look beyond the printed words of its seven articles and see in them the crystallization of centuries of dreams—dreams of liberty and justice and freedom for which countless thousands laid down their lives in order that millions who were to follow might enjoy the blessings of self-expression and self-determination? As the Bible is to the Christian world, so should our Constitution be to Americans. No other document occupies so important a place in our national life. The Declaration of Independence was a formal notice of our intent to become free. When freedom was finally gained, its purpose was served. On the Constitution depended the success or failure of the freedom which had been so valiantly won.

Although the thirteen States had joined in the common cause for liberty, they were not truly united. The common peril ended, state pride and jealousy broke out afresh. Each state had thought of itself as a complete and isolated political body in a way which it is difficult for us, after more than a century of national unity, to conceive. There was serious danger of each state going its own way. The Articles of Confederation under which they were bound were wholly inadequate, although they served the admirable purpose of having committed the several states to a policy of united action. It linked them together into a league of friendship for common defense and welfare, but failed to weld them into a united nation. The Revolutionary Congress was more of an emergency committee than it was a real government. It had no authority save in tacit general consent. The principal faults of the Confederation were that Congress was powerless to enforce its will, could not collect a revenue, and could not regulate commerce. The affairs of the country were in a state of chaos. We were heavily in debt because of the war, and without means to assure ourselves of funds to carry on the government. Other nations did not care to enter into treaties or arrangements with a country that could not give reasonable assurance of its ability to carry out its agreements. Unless some definite basis of government was adopted soon, we would stand discredited in the eyes of the world and the freedom we had won would go for naught. This was the situation which confronted the delegates who met in Philadelphia in the spring of 1787 in an effort to bring order out of all this confusion. To the authors of our Constitution we owe a debt of everlasting gratitude. Theirs was a stupendous task—almost a hopeless one—for at times it appeared impossible to arrive at a satisfactory solution. They had to provide for

the interdependence of the states without wholly depriving them of their independence; they had to overcome the prejudices and self-interest of the various states in which no real national spirit had been developed—nor had they any precedents to guide them. In the face of discouragements and disappointments this group of men persistently held to their task for three months, at the end of which time they gave us a Constitution which was destined to serve as a model to the world, for no important advance has since been made by any civilized government which has not, in greater or less degree, been modeled after ours.

Embodied in our Constitution was the best of what was then known of other governments; it was adapted to our peculiar needs based on the experience of 150 years of colonial existence, and woven into it were the highest ideals of liberty, equality and justice. It took into consideration the fact that a nation is but a multiplication of individuals and that national progress and permanence could be assured only by insuring the rights and opportunities of its component citizens. Our Constitution is unique in that it does not vest absolute power in any one person or department. There are three counterbalancing divisions—the legislative, the executive and the judicial—but the control remains in the hands of the citizens at large. This wise distribution of power definitely precluded the danger of any person or group of persons establishing themselves in an autocratic position to the detriment of the masses. Our Constitution has more safeguards to person and property than any other political document in history; it has a longer list of personal rights, it limits the powers of government, and at the same time limits the power of the people so that mob rule may never prevail. It is sufficiently restrictive to prevent impulsive action, yet sufficiently elastic to meet the demands of progress. How wisely the authors of the Constitution anticipated the requirements of the nation is best attested by the fact that in spite of our unprecedented progress and the rapidly changing conditions under which we have lived, only nineteen amendments have been found necessary. Ten of these, which further extended and guaranteed the rights of the individual, were adopted within the first four years, leaving only nine additional amendments over a period of 134 years. Further proof, if any be needed, lies in our national development, for in less than 140 years under our Constitution we have grown from a weakling among nations to the greatest and most influential world power. In every way our Constitution has stood the acid test of time. Domestic and foreign wars have left it unshaken—it has withstood all attacks from within and without.

But what of the future? Our Constitution has been attacked in the past, and it is inevitable that it will be attacked in the future. Our danger in this respect lies not so much from without as from within—our peril will arise from the ignorance and indifference of our own citizens. This being true, then it natur-

ally follows that our safety lies in education. Our government is safe in the hands of the people only so long as public opinion is intelligent and sane. If every citizen knew our history, our traditions and what our Constitution really is, could he not be more definitely relied upon to vote intelligently for the best interests of the nation? When citizenship is granted to an alien, he must swear to support and defend the Constitution of the United States. If this is good for the alien, would it not also be good for the youth of America? When we enter into the privileges and responsibilities of citizenship, should we not, like the young men of Athens, pledge ourselves that we will not leave our country weaker than we found it, but stronger and better?

The freedom for which our fathers died is in our hands as a sacred trust. It is the rightful heritage of posterity, and we are but its guardians. Let us, then, be true to our trust and place in their waiting hands the undimmed torch of liberty.

THE CONSTITUTION

By ASENATH L. GRAVES

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NEARLY a century and a half ago the American colonies entered upon a great experiment, that of founding and maintaining a government for the benefit of the people and under a charter prepared by the people themselves. This charter is the Constitution of the United States. The times were ripe for such an experiment. The world, weary of despotism, war and heavy taxes, was eager for any change which would lighten its burden. And, providentially, it seems, there was in the American colonies such an assemblage of intellectual giants as have rarely been contemporaneous. When this incomparable group met at Philadelphia in 1787, the Constitution they produced, despite the concessions and compromises necessitated by local colonial prejudice, was a marvel of statecraft.

Time has proved the greatness of this charter of democracy and shown the wisdom of the fathers in providing for and so perfectly adjusting the powers of the three departments of the government as, on the one hand, to render a despotism impossible and, on the other, to guard against hasty and ill-considered action by the people. In the century and a half that has elapsed since then, the United States, under the wise and beneficent provisions of the Constitution, have found their way from the position of a weak, ignored nation, in the grip of financial distress, to that of the strongest, most respected, and certainly the most prosperous nation in the world. It is impossible that the Constitution in its few thousand words could cover every governing requirement of our great and varied national life. The written words

are but the framework of our system. The vital element is spiritual and embodies the ideals of all who have helped build our great commonwealth. These ideals are as old as history, as far-reaching as human aspiration, and as enduring as eternity. "As old as history?" you may inquire. Aye! The basic principles of the Constitution of the United States stretch back to the first longing that surged in a human soul for liberty and justice. Before the English Magna Charta was signed at Runnymede, before the Romans compiled their great codes of law and jurisprudence, even before the Man of Nazareth enunciated the supreme law, "Thou shalt love thy neighbor as thyself," men groped for true liberty, coupled with justice; and from this groping in the course of centuries, the Constitution of the United States was born.

Do you question my second assertion, that the Constitution is as far-reaching as human aspiration? In its early years the Republic bound together, but only insecurely, thirteen newly independent states of widely divergent views and requirements. The perfect balance and breadth of the Constitution have not only served to unite those states more and more closely, but its flexibility has met the expanding needs of the nation. Early in our history it enabled us to assimilate alien peoples brought in by the purchase of territory from France and Spain. It has stood the stress of wars, civil and foreign, and been strengthened thereby. Naturally and inevitably the powers of the central government have broadened to keep pace with changing conditions and crises, until today it rules an empire which can boast two oceans as its boundaries—an empire of forty-eight states which, though sovereign, yet proudly form an indissoluble union. Nor has the influence of our governmental experiment confined itself to our own country. It has been an inspiration wherever civilization has carried the message of its achievements, and has served as a model for most of the free governments which exist today. When our Constitution was framed, the world bowed to despotism as a necessary evil. Today, following the path of self-government blazed by the United States, most of the world's nations are democracies in which the education and well-being of the masses are matters of national concern.

And my third statement, that the influence of the Constitution of the United States will be as enduring as the future! Can that be true? Nations become corrupt, disintegrate, and disappear. It is our prayer that ours may endure. But this I believe—were the United States to disappear, leaving no trace of its material greatness, its Constitution, the principles and ideals there set forth, would endure in the history of the peoples who have patterned their government after ours. Practical lessons may be gleaned from a study of our Constitution. A review of its past must deepen our reverence for this incomparable document and can hardly fail to bring a realization that the blessings it

bestows, the security it insures, were not easy of acquisition, that they are the results of centuries of upward struggle and were purchased at the price of suffering and blood. Do we think of its present greatness? It must deepen our resolve to guard it jealously, for it guarantees the most precious things that life holds—the right to enjoy the fruits of our own labors, the right to worship God after the dictates of our own conscience, the opportunity to rise from the most humble to the highest position in the land. But when we contemplate the future, there may be found the most valuable lesson of all. For the future influence of the Constitution, both within and without our own borders, from this very hour down through the dim vistas of ages yet to come, depends in large measure upon us average American citizens.

We Americans, as well as our institutions, are much on trial in these days—on trial to our faithfulness in fulfilling our duties as citizens, as to our attitude toward the law of the land, as to our respect for the Constitution and its requirements. Away with the cynicism that whispers that our government is somewhat of a failure and that our public servants are vicious or mercenary! Our Republic has risen, like Bethlehem's star of old, as a sign of a new era and a new hope. Let us never forget that we live in the best country and in the best age that the world has ever known. It is for us to keep faith with those who have laid the foundations of our Nation's greatness, to co-operate fearlessly with those who are working for the public good, and to pass undimmed to succeeding generations our priceless heritage, a free government founded on the Constitution of the United States.

THE CONSTITUTION

By GEORGE STANSELL

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THE first faint rays of the Renaissance fell upon Europe, dispelling the gloom of ignorance and stagnation, engendering in it a new spirit of adventure, of conquest, of discovery, disclosing to it a new world, free from the traditional hate and prejudice of untold ages—a new world, in which was to spring up a mighty nation, destined to be fostered and preserved by that most composite expression of republican ideals and principles, the Constitution—a document based upon the equality of man, embracing all sects and all creeds, drawn up in the hand of God by home-loving patriots, undefiled by the doctrines of political covetousness, a fit covenant for the governing of a super race, amalgamated from the heterogeneous peoples of the world.

The Constitution has come into its rightful position only after

the fighting of three of the bloodiest wars of history. In the Revolutionary War it was given the right to exist. Immediately upon the freeing of the colonies a loose-bound Federation of States was formed, which, on the eve of anarchy, was superseded by the Constitution. Upon the adoption of the Constitution there ensued a period of contested sovereignty, when the greatest parliamentary orators of the day engaged in unending debate upon the question of states rights. Through this period existed, too, the gravest smirch which has ever rested upon the Constitution, that, while it is stated in the Declaration of Independence that all men are created equal, slaves in ever-increasing numbers were held in subjection in the South. This contested sovereignty and the smirch of slavery were removed at a single blow in the Civil War, and the second great step was taken in the establishment of the Constitution, that of placing it supreme in the United States. The ever-increasing respect shown the United States by the other nations of the world since the Civil War was climaxed by the third great war, the late World War, the recognition of the United States as one of the great powers, and the acclaim of the Constitution as that under which the United States government, antedating all other modern governments, still exists.

The perpetuity of this government has not been a matter of chance. It has not continued to exist merely for the lack of a crisis to put it to the test. Crises have been numerous enough in its century and half of eventful history. It has been put to the test, many times, and has emerged always stronger than before. This leaves us but one conclusion, that the government of the United States continues to exist because the Constitution of the United States meets all the requirements of an ideal republican form of government. These requirements are three in number. It must, first, do the will of the majority; second, while doing the will of the people, curb the mere whim and caprice of the people; third, it must protect the rights of the minority. The Constitution meets these requirements because it is not the tool of oligarchic oppression, nor the impractical day dream of a monarchical idealist, but the result rather of the social forces existent in the United States, drawn up in accordance with the prevalent sense of right. The ideals embodied in it are no higher than the ideals of the American people themselves, and its laws are only such as meet with the approval of the great majority of the people and merit their support. The government under which we live is, then, in exact accord with the will of the people. Perhaps we wonder how the Constitution can continue to do the will of the majority, since the social forces and the prevalent sense of right are continually changing, and these changes are not provided for in their entirety in amendments to the Constitution. This train of thought brings us to the realization that the Constitution provides for gradual changes in itself, aside from the course of amendment. It does this in the creation

of a Supreme Court to interpret its clauses. In interpreting the Constitution, little attempt is made to retain the original meaning or the intentional application. It is interpreted, rather, in such a manner that, without violating the letter of the Constitution itself, it does the will of the majority. Only when the most liberal interpretation of the Constitution fails to accomplish this result is the power of amendment resorted to.

The second essential of this ideal republican form of government is also provided for in the Supreme Court. We find this in the fact that by means of this court the will of the people is done, while the mere whim and caprice of the people is weeded out and avoided, until, in saner moments, its folly is recognized. The letter of the Constitution itself serves, to some extent, in a like capacity as a check upon the whimsical fancy of the people. In overruling the caprice of the people, the Supreme Court has often brought upon itself storms of protest and severe criticism, but it has seldom, if ever, failed to separate the will of the people from the mere whim and caprice of the people. If this supreme power rested with a legislative body rather than with the Supreme Court, this effect would be greatly minimized, since the political interests of the legislative body would force it to yield to every whim and caprice of the people, regardless of merit. The Supreme Court, however, being independent of political interest, is enabled to give to the United States the benefit of the unprejudiced judgment of the most mature minds of the nation. The third requirement of this ideal republican form of government is also to be found in the Constitution, which, while doing the will of the majority, yet protects the rights of the minority. Usurpation of the rights of the minority has caused the downfall of many of the republics of the past. The Constitution protects the rights of the minority in the Bill of Rights, contained in the first ten amendments. The tone of the Constitution throughout is undiscriminating in its nature, insuring equal rights and equal justice to all.

The Constitution of the United States fulfills, then, the three requirements of an ideal republican form of government, in that it does the will of the majority, and while doing so curbs the mere whim and caprice of the people, and it protects the rights of the minority. We find, then, the reason for the perpetuity of this marvelous document, and of the government emanating from it. We come to understand the prosperity of the people sheltered by its most excellent provisions, and how, in the brief space of but a hundred and fifty years, these people have advanced from a group of rebellious colonies into the greatest nation in the world. As the portent of these facts dawns upon us, we understand, as never before, how the Constitution of the United States, bought in the blood of the Revolution, cleansed in the tears of the mothers and widows of the Civil War, glorified in the awful vastness of the late World War, rests in the shadow

of the American eagle as he soars above the fluttering Stars and Stripes, the supreme offering of mankind upon the altar of Liberty.

ABRAHAM LINCOLN AND THE CONSTITUTION

By PHILIP GLATFELTER

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TWENTY-FIVE centuries ago there flourished a people upon whom the gods had never smiled so sweetly. But there lay hidden under the veneer of culture, a hideous monster which at last broke forth and left the splendor of Greece a memory. This race could not unite. Their foreign wars served to keep them together for a time, but when that pressure was removed, the Greeks became Athenians, Spartans, Thebans or Corinthians. One city was constantly pitted against another, until, thoroughly exhausted, the entire race succumbed to a foreign land. But the small states of the Peloponnesus have accomplished a purpose. I do not refer to what they have bequeathed in the way of art, poetry, or philosophy, but to the fact that they have warned us that man must follow his strongest instinct, self-preservation, by union.

In our own case, the Revolutionary War was the pressure which brought the American colonies together and which forced them to act as one. The statesmen of that time saw that it was necessary to maintain unity of thought and action, not only for the sake of self-preservation, but also to carry on the War for Independence; and so, in 1781, the Articles of Confederation were adopted. This system created a league of practically independent states, headed by a Congress which "could declare everything, but could do nothing." Consequently, after the danger of a common enemy had been removed, the states, with their divergent interests, began to drift apart. Fortunately, this was America's heroic age. So there convened an assembly of fifty-five men, whose combined wisdom and patriotic purpose have never been duplicated. This assembly, including the beloved Washington, the brilliant Hamilton, the convincing Madison and the honored Franklin, met at Philadelphia in the Spring of 1787 and drew up a document which not only corrected the defects of the Articles of Confederation but also gave the world the pattern for all future constitution building.

Our Constitution, the supreme law of the land, established a system of government composed of three separate and independent departments, the legislative, executive and judicial, each serving as a check upon the other. It created an indestructible union, yet gave a fair recognition of state rights. But with its checks, and with its balances, the Constitution never lost sight

of the fact that sovereign power should reside with the people. But still the Constitution was not an idealistic document representing what any one man or any one state wanted. It was rather a practical compromise, whose immediate purpose was to get the states headed toward the center and not toward the circumference of a circle. But a compromise aimed to satisfy thirteen states with widely diverging interests, was sure to contain some disproportions. The first three words of our Constitution, "We the people" literally meant "We the white-skinned people." The framers of the Constitution could not attack slavery at that time, but they hoped that it would gradually die out. Slavery was not only a moral question, but it was also an economic and political question. As the evil increased, the nation separated into a North and a South and the feeling of national unity became fainter. It soon became useless to try to delay the inevitable question any longer with assuaging compromises, and in 1860 came the defiance of the Constitution and the disruption of the Union, by the secession of eleven slave states. Our Constitution had been tried in peace, and had been tested in war, and it had proved itself fitted to both. It can stand trial; it can stand assault; it can stand adversity; it can stand everything but disorganization, disunion and secession. Yet these were the conditions that now menaced the Constitution. But these very conditions produced its greatest champion—Abraham Lincoln.

This great-hearted, self-educated country lawyer was called to defend the Constitution and to grapple with these tremendous problems which almost defied solution. Lincoln hated slavery, but on the other hand, he vigorously supported that Constitution which protected slave states in the continued possession of that kind of property. How, then, could he solve this complex problem? Lincoln realized his first allegiance was to the union created by that Constitution which he so solemnly swore to support. So to uphold the Union, to preserve the Constitution, to defend the national honor, he bravely faced the issue. And war came. Lincoln's purpose, at the outset of the war, was not destruction of slavery, but preservation of the Union. "I would save the Union," said he. "If there be those who would not save the Union unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union."

As the war progressed, Lincoln, in accordance with his conscience, emancipated the negroes and defended the constitutionality of the act by declaring that it was warranted upon military necessity. Thus did Lincoln, with infinite wisdom, solve the problem. He freed the negro; he upheld the Union; he defended the Constitution; and in doing these things he had remained true to his party, to the Constitution and to God! But he paid with

his blood the price of victory. Yet his death was not in vain. He saved the Union. He gave the last full measure of devotion in the spirit of purest patriotism. He freed not only the South, but the entire country from the burden and curse of slavery. He made men realize that the United States is not a league or confederacy, but a nation. He led his people through the scourge of a Civil War from which the nation emerged, purified as by fire, born anew to a loftier life. That gaunt, courageous patriot has won a place with the original framers of the Constitution, with Washington, Madison and Hamilton. Soon after his death, his principles of slavery were incorporated in the Constitution, while his faith in the indestructibility of the Union, and the supremacy of the Constitution, was immortalized by being placed in the hearts of all true Americans.

NATIONAL FINALS OF 1924

"THE CONSTITUTION"

By DON TYLER

Franklin High School, Los Angeles, California

AS I traveled across the continent to Washington I realized as never before that we are living today in a beautiful land stretching from the snows of the north to the summer lands of the far south, sweeping from the Atlantic to the western waters of the Pacific, a land of peace and freedom.

But we are apt to forget what it is that has given us this great heritage. We have been free so long that freedom is unnoted and hardly prized.

Peace and order have preserved the opportunity for useful and happy lives, have preserved safe and contented homes, freedom of religion, freedom of thought, freedom of speech, independent manhood and womanhood, the right to rule the conduct of one's life so long that we forget whence these blessings come. They come "by a system of government maintained by the resolute loyalty of a great people." If this system of government fails, is destroyed, something else will come. We cannot tell what it will be, but in the words of Elihu Root, this we do know: "It will not be that system of government which has preserved our peace, order and security, opportunity and prosperity, this will no longer protect us."

Some of us do not realize that not many years ago men's limbs were beaten and broken and their faces branded with hot irons because they chose to think as individuals, that men were shipped into slavery because they contested the Godliness of a self-styled superior. Against such abuses these immortal words of the Declaration of Independence were written which declare that all men have certain inalienable rights to secure which gov-

ernments are instituted among men. The Declaration joined issue with all the theories of government since the world began. The theories of all the monarchies and ancient republics were that the state was the main thing, that the king could do no wrong and that the rights of the individual were derived from the state; the Declaration of Independence declared that all men are created equal, the inalienable rights are those of the individual and that the state is organized to secure these ends.

But a thousand noble declarations of principles have been made and passed into the mists of oblivion with no effect. For no mere declaration of principles can be effective unless upheld by certain practical, specific and definite rules to give life to those principles.

So under the loose and meaningless Articles of Confederation the government of thirteen states had failed miserably. There had been unlimited trade, but Congress had not the power to regulate it nor even the power to supply funds through taxation necessary for its own preservation. The value of the American dollar was one-half a cent. Insurrection and anarchy stalked through the land and everywhere people clamored to return to British rule.

These were the conditions when that intrepid little group of fifty-five men walked into that Philadelphia meeting house in the spring of 1787 to give us this, our Constitution, our government.

They did, indeed, answer the prayer of George Washington in his opening address when he said: "Let us raise a standard to which the wise and honest can repair; the event is in the hand of God."

Never before and I think never since has such a group of men met in this world as that group that framed our Constitution. These men had become familiar with the practical working of free self-government during 150 years of colonial life. They were not theorists, but men of practical life and experience. And yet some of us think of the Constitution as a cold legal document. On the other hand, it is warm and it is living, for these men worked with a knowledge of the character of a material with which the government has to deal—that is to say, human nature, with its multitudes of feelings and impulses and passions and weaknesses.

But that is not all. These men did not walk alone on that spring morning into that Philadelphia convention. There walked in with them the thousands upon thousands of shadowy nameless persons who had through the centuries worked toward liberty and order. There were those struggling figures who through the years of labor and agony and sacrifice had been working out the priceless practical principles of the Anglo-Saxon liberty.

And so the fathers of our Constitution embodied in that instrument the spirit of the Magna Charta and the petition of rights and the bill of rights and the habeas corpus act, of all that made

the people of England great, and an adaptation of those great principles to American life through the practical working of 150 years of American government.

Then at the end of four months these men after discussing, debating and deliberating, brought forth the most finished, polished and balanced relation between a people and their government that human mind has ever conceived. In the words of William Pitt at the time, "It will be the wonder and admiration of all future generations and the model for all future constitutions."

Our Constitution, the supreme law of the land, gave us a government with its representatives elected at certain fixed intervals, with authority delegated to three departments—the legislative, the executive and the judicial. But the startling fact, for the first time in the history of the world, was that no one department was supreme; that each department served as a check and a balance on the other, and the final supreme power was in the hands of the people. In other words, it provided that those who made the laws could not administer them and those who administered could not judge them, and gave the supreme power to the governed.

The greatest and noblest purpose of the Constitution, however, is its protection of our individual liberty. It rests on the fundamental principle that liberty is not license, but that it is essentially a matter of self-control, the restraint of the impulse to do to others what we would not have done to us.

To quote Randolph Leigh: "No world power of the present time has a government which reaches back without a break as far as ours. France, Japan, Germany, Russia, Austria, Italy have all experienced tempestuous changes in government since the adoption of our Constitution. France has made the circuit from half-hearted representative government to mobocracy and then to despotism twice. Germany has been swept through many stages from petty despotism and centralized absolutism to the chaos of today. Russia has passed from absolutism to democracy, to sovietism, the most permanent characteristic in that land having been the bread line."

In other words, Europe has little to offer but warnings in the matter of government; as a whole Europe is hardly as far along governmentally as the thirteen states were under the loose Articles of Confederation. And yet friends, at this very moment theorists and experimenters are demanding that we change our form of government. The governmental failures are telling us we are wrong.

I ask you, fellow citizens, shall we listen to them; shall we exchange our freedom of speech for a government where the newspapers can print only what pleases those in power; shall we exchange the sanctity of private property for absolute confiscation by the state; shall we exchange our religious freedom for the bloody massacres of Christians by the Turks?

We Americans possess a mighty sovereignty, but a sovereignty so constitutionally limited that it cannot be used to take from the individual his inherent rights—"a land where every man is a king, yet no man dare to wear a crown." No other country in the world, however, has this protection and no other government since the world began has sought to incorporate it into a practical system of administration.

Our Constitution has brought into being a new sun. It is the sun of individual freedom, and as long as there are Americans, God willing, it shall never sink into the sea of forgotten destinies.

Yet, we must be vigilant and we must be earnest—but we will be, and we will preserve for generations to come and for the peace and blessing of our children and children's children that liberty and order which is our unconquerable Constitution, unconquerable because it is built within the hearts of men.

THE CONSTITUTION OF THE UNITED STATES

By RUTH NEWBURN

Central High School, Washington, D. C.

THE original manuscript of the Constitution of the United States is a document which Americans cherish as a priceless treasure. For many years it has been without a permanent home, but at last it has found an appropriate resting-place. It has recently been transferred to the Library of Congress, where it rests within an altar shrine. This manuscript, however, is but the letter, and would be valueless if the spirit of the Constitution were not enshrined within the heart of every true American.

In order to appreciate fully this remarkable document we should be familiar with the condition of the colonies, which made necessary "a more perfect union" and inspired the founders of the Constitution to their great undertaking. Let us turn the pages of history in retrospect to the period when the colonies were struggling for their independence. The war was being carried on at this time by a Continental Congress. Not until 1781 did the colonies pledge themselves to a "firm league of friendship" called the Articles of Confederation. Under this effort to establish "perpetual union" the states were extremely jealous of each other. That dual patriotism which every American has today for both his state and the nation, was sadly lacking. The Articles of Confederation provided for a legislative department; but not for executive and judicial departments. Congress had the "right to do everything but the power to do nothing." It could not raise money to pay debts; it could not arbitrate boundary disputes, prevent tariff wars between states, nor put down

open rebellion. In many ways the weakness of this league was made manifest. Washington wrote to a member of Congress, "Let us have a government by which our lives, liberties and properties will be secure." Leading men were convinced that the creation of a stronger union was the only remedy for the financial and political disorders of the time. Their efforts in this direction resulted in the calling of a convention to revise the Articles of Confederation.

Among the delegates to this convention was to be found nearly all the ripest political experience that this country then contained. Several of these delegates had had the experience of preparing constitutions for the states. They also had the advantage of judging the merits and defects of the state constitutions after they were in operation. Most of them felt that the mere revision of the Articles of Confederation would not bring relief to the country. Accordingly they boldly undertook the creation of a new code of laws which was to be considered and ratified by the people of the several states.

Elson in his "Side Lights on American History," says that the greatest undertaking of this convention was to organize and consolidate these states into one firm and compact nation, and at the same time to retain the separate state governments in such a way that state laws and national laws would not conflict; this would secure both liberty and union. With the object in view of combining these opposite tendencies of government—liberty and union—and of meeting other specific needs of the colonies, our fathers created a Constitution which, by its adoption, brought forth on this continent a new nation.

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The eminent English statesman Pitt said of our Constitution: "It will be the wonder and admiration of all future generations, and the model of all future constitutions."

The corner stone of this structure is composed of three fundamental ideas.

The first is the representative form of government. Ours is a government which derives its power from the consent of the governed.

The second is the division of governmental powers into three separate departments. They are the legislative, which is a Congress composed of a Senate and a House of Representatives, to make the laws; the executive, consisting of a President, to administer the laws; and the judiciary, consisting of courts and judges, to interpret the laws and apply the principles of justice to the particular cases that arise. The powers of each department are fully outlined and any tendency to overstep them is restrained by an admirably worked-out system of "checks and balances."

The third fundamental idea of the Constitution is the guarantee of personal immunities, with judicial protection of these guarantees. There are certain privileges which liberty-loving people have always held dear, such as freedom of religion, freedom of the press, the right of peaceful assembly, and of trial by jury. In order to secure these, and other privileges, ten amendments, called the "bill of rights," were added to the Constitution.

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These three—the representative form of government, the three-fold division of power and the protection of personal rights—are the fundamental principles of the Constitution.

The great Americans who designed this Constitution had both wisdom and foresight. They proved themselves equal to the magnitude of their task. They created an instrument of government which is "rigid when rigidity is demanded by safety, and flexible when flexibility is necessary." This Constitution is built upon principles of justice that are secure and unchanging, yet it provides within itself for change and growth to meet the needs of an expanding nation.

The American people are adjusting their system of government to the new conditions which have arisen. Care must be taken in this work that no essential element of the Constitution be sacrificed. It must be remembered that in the Constitution the line dividing the authority of the federal government from the authority of the state government is clearly drawn. Our federal government has been likened to the keystone of an arch; the state governments to the supporting stones; each dependent upon the other. Whether or not the federal relations established by the fathers will be maintained depends upon the people. Eternal vigilance will be the price. Our Constitution is something to be "worked, not worshipped." In order to do this intelligently, the people of the United States should be familiar with it in all its essentials. This task is not difficult, for our Constitution is a concise instrument. The constitution of England is contained in hundreds of volumes of statutes and reported cases; our Constitution, including the amendments, can be read aloud in less than half an hour. It is so simplified that the average mind, with reasonable effort, can master its provisions. To make this effort is not only the duty and responsibility, but the privilege of every American.

As American citizens, we should take a lively interest in public affairs. If the individual is ignorant and indifferent, nothing can prevent the government from becoming weak and inefficient. President Coolidge has aptly phrased this idea. "Office," he says, "has great opportunities for doing wrong, but equal chances for doing right. Unless good citizens hold office, bad citizens will." If the individual is intelligent and alert he will learn

something of the character and fitness of the people running for office. He will endeavor to elect men who will serve the people and not their own selfish interests.

At the close of the constitutional convention, while the last members were signing the document, Franklin looked at the chair in which Washington sat, on the back of which was painted a sun. "I have often looked at that picture," he said, "and wondered whether that sun was rising or setting. Now I know that it is a rising sun." During the 137 years that the Constitution has been in operation, the rays of this sun have broadened and strengthened, and the light and influence have spread, not only over our great continental republic, but over all the nations of the world. It is no small thing to be a citizen of the republic whose fundamental law is that great Constitution. It is a great responsibility to be a voter here. The American citizen should know his privileges and his powers as a voter; he should know not only his rights under the Constitution, but also his duties and responsibilities. It has been said that the vote makes the American citizen an "uncrowned king." Let him not fail to exercise this power, that this government "of the people, by the people and for the people shall not perish from the earth."

THE CONSTITUTION

BY JOHN M. DALLAM, III

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DURING the period immediately following the Revolution the liberties which the Colonies had wrested from the Crown were in grave danger of perishing from their very excess. The States, nominally a Confederation, were divided into jealous antagonistic factions, menaced by riots, unemployment, stagnant trade, depreciated paper currency and an unpaid and discontented army. Great Britain disregarded her treaty with us entirely, and "The Federalist" well exclaimed in bitter scorn, "We may, indeed, be said, with propriety, to have reached the last stages of national humiliation."

It is conceivable that the presence of a common danger or the iron hand of a dictator might have united the Colonies until the pressure was past or the restraint removed. But that human ingenuity should have produced an instrument of government so complex, so delicately adjusted and yet so fundamentally just, that it banished mutual distrust, brought order out of chaos, law out of anarchy, and force out of weakness—that is a miracle of Statecraft.

The impotence of the Confederation, the source of all its ills, was the absence of centralized power. But centralized power

was dreaded and detested by each of the thirteen States. Each had experienced it, and all had united to fight their way from its tyranny. The strength of the Constitution, and that which made it wholesome and beneficent, was not only that it provided this undisguised and vigorous central authority, but also that it combined two forms of government—the national and the State—so adjusted to each other that each was free to work the benefits to which it was best adapted, but restrained by the other from working injury.

The States by their electors chose an executive for a term of four years, but the citizens of the State chose the electors. Thus he who dreaded centralized power participated in a measure, in bestowing it; and by so participating might, to that extent, see that it was intrusted to one who would not abuse it. The Vice-President could not be an inhabitant of the same State as the Chief Executive; thereby preventing one State from seizing the reins of government and making vassals of the rest.

The legislative function, separated entirely from the executive also embodied both the diffused and centralized authority. Each state had, regardless of its population, two representatives in the Senate; thereby conferring equal power on all States in that body. But the lower house had the representatives of each State, and, therefore, the votes of each State proportioned to its population.

The judicial function, also independent of the other two consisted of the Supreme Court and such other courts as the Congress might authorize; with jurisdiction over causes arising under the laws of the United States, and under treaties with foreign powers, and extending to suits between citizens and different States. Thus there was guaranteed to the citizen of one State the protection of one centralized authority should he desire to invoke it in litigation in some other State than that of which he was a citizen.

But the balance wheel of the judicial system and indeed of the whole government, was the Supreme Court. Although the President of the United States may call to his aid the Army and the Navy; although the Congress wields immense power through its complete control of the public moneys; although the States maintain armed forces for their protection—yet when the Supreme Court, without the help of visible force or power, with one man—its marshal—carrying its authority, shall lay the Courts command on any of these, that command is implicitly obeyed.

Moreover both nation and State are forbidden to impair the obligation of contracts; to take away life, liberty, or property without due process of law. Thus there are recognized certain fundamental rights and liberties not mentioned in the Constitution but existing in the consciences of men, and no act may be committed inconsistent with the observance of those rights. And the Supreme Court in its appellate jurisdiction, is the cham-

pion of those rights, and those liberties, throwing about each individual the protection of that power of law to which State and Federal governments alike bow.

In this manner then, was the dual government set up. But it was not enough to create and set in motion the remarkable and complex machinery. That which gave it permanence and insured its smooth and supple efficiency was the distribution of sovereign powers between it and the States. The States yielded sole and supreme authority in national affairs. They retained unto themselves all powers not expressly or by necessary implication delegated to the Federal government. "The powers," says "The Federalist," "delegated to the Federal Government are few and defined; those to remain in the hands of the State government are numerous and indefinite." In addition to this each State—guaranteed a republican form of government by the Constitution—had its own executive, legislative and judicial arms; with power to make, execute, and enforce its own laws. Moreover assurance was given that the Federal government would not encroach upon the rights reserved to the States by the frequency of elections, and by the fact that one Congress was unable to impose its will on any subsequent Congress.

This, then, was the relation of the Federal government to the States, but in the relation of the Federal government to the citizen lay the source of its strength. And to certain basic principles not apparent to the casual reader of the Constitution, are due its long existence, its undiminished but rather increasing vitality, and the liberty that we enjoy under it today.

Perhaps the most extraordinary of these was the principle that the powers of government were only such as were ceded to it by the governed. What the barons wrung from John at Runnymede, and what the Great Charter proclaimed, was not the yielding by royalty of any of its rights to the people, but the restitution to the people of their inalienable rights. When the Council of Barons was chosen to enforce upon the monarch the observance of the Charter, John cried in helpless fury, "They have given me five and twenty overkings!" The words were strangely prophetic. In the fulness of time the great body of citizens became royalty's overkings; and when our Constitution was formed every power it lodged in the government was a definite grant from the people, not to be enlarged save by their own act. Since also any extension of the power thus granted must be in the same carefully considered manner, with none of the empiricism of quick trials of startling theories from which the framers had so carefully abstained, the amendment of the Constitution was made a matter requiring time and discussion.

The second of these principles was that of representative government rather than direct rule by the people. The framers instinctively dreaded the placing of power directly into the hands of the people where its use must certainly be very often in-

fluenced by prejudice, partisanship, and mob hysteria. They provided for the election of officials into whose hands power should be given during a fixed tenure of office, so that their term in power was not dependent on public will. Thus they hoped to have all government a matter of cool consideration by men who should work out their policies in spite of possible temporary unpopularity. In pursuance of this they armed the majority and minority with power against each other; so that Senators representing a majority of the people, if a minority in the Senate, could not compel impeachments or sanction treaties; and the will of a majority of the people was not even able to amend the Constitution without the assent of three-fourths of the States.

The third consideration was the adaptability of the Constitution. Its framers realized that they could not foresee all the exigencies of time and affairs to come. They enumerated, therefore, rather than defined, the powers assigned to the central government, in order that those powers might be able to meet the needs of future generations whose conditions and wants it happened they could never have guessed.

Thus the Constitution has wielded into one nation the thirteen separate, feeble commonwealths which without it must inevitably have perished. It has grown with their growth until it buttresses the liberties of more than 100,000,000 people. And as that strongly centralized power has guided and protected the destinies of the nation it has extended an increasing measure of protection over these personal liberties which the timid feared it must surely destroy. It protects the inalienable rights of the citizen against even the power of the States; and lest somewhere injustice or oppression should be done in its name it gives the assurance that the enumeration in it of certain rights shall not be construed to deny or to disparage those still held by the people.

In this liberty and security which the Constitution bestows upon us we are blessed above all the peoples of the earth. But in the contemplation of what the Constitution is and what it has done let us not forget the solemn truth that it lives not on the printed page, not in judicial decree—but in the hearts of men. That spirit which men call patriotism must sustain the nation in peace as well as in war; and upon that pure and firm foundation the Constitution, if it continue to exist, must for ever rest. May we behold with clearer vision the gulf that separates the liberty that is in obedience from that which is in disobedience: and may we realize that the liberty of obedience is life, while the liberty of disobedience is anarchy and death itself.

And so seeing let us then highly resolve that ours shall be the task of protecting the Constitution from that menace falsely called liberty, which if unchecked, must encompass its destruction.

FIRST PRIZE

1925 MEXICAN ORATORICAL CONTEST

CONSTITUTIONAL GOVERNMENT

By ANTONIO MARTINEZ BAEZ, *Mexico City.*

WHILE there may be a certain unity of opinion as to what constitutes an ideal government, yet opinions vary widely as to whether a reasonably perfect government can ever be humanly achieved. To obtain the best government, however, has been the dream and the hope of all peoples in their struggles for the protection of life and liberty and for the promotion of happiness.

There are striking differences between the ancient and modern views of government. The present-day enlightened conception of government is that it is no longer an end in itself, but exists for the general welfare and is pledged to the protection of popular rights. In the glorification of the royal power the modern state was born, overcoming the former dualism of spiritual and temporal power. Free institutions, namely, guilds, corporations, free cities, etc., resisted successfully this absorbing power, giving rise to constitutional law, a restraint, first upon the king, and, since, upon any other power that would abuse the privilege of government. Of the many doctrines that have been proposed for this purpose, outstanding is that of the social contract, a free and spontaneous agreement among the members of society, a covenant between the rulers and their subjects, creating thus government subordinate to conditions. Constitutional law registers in its history all great political moments, since it contains not only the rules of public law, but historical summaries of all big problems of human society. For example, in the Mexican Constitution of 1917, Article 123 deals with industrial law, or the necessity of protecting the wage-earning group, lacking hitherto any real guarantees.

In spite of many changes of the last two centuries, there still remain the same problems of guarantee against the abuse of government. Individual liberty is not obtained merely by affirming that power proceeds from the people, and creating for the realization of this thought a parliament elected by the people, since, in practice, it results that popular government can be despotic and oppressive. There persists, therefore, the need of political protection for the individual. Modern political government is institutional, is one of guarantees, and to this end tend all measures that have been made, namely, declaration of popular sovereignty, division of powers, local and federal sovereignties, etc. The final aim of a constitutional government is a better accord between the government and the individual. Another trait of the modern state is the relation of obligations and rights, an idea

that has played a most important rôle in the development of constitutionalism, controlling the omnipotence of government, regulating the expression of its will, and limiting it in respect to individuals. By adjustment to law only is valid the will of those who govern, tending to the greatest social solidarity. Magna Charta, the beginning of constitutionalism, has stated that in violating this principle any functionary is subject to due process of law and punishment.

The constitution of each people is influenced by local history and by the great constitutional models of England, the United States and France. To determine what is best is, indeed, a great problem, since it concerns the organization and improvement of society, making possible the co-existence of a strong and useful government with the basis of individual rights. Constitutional law must be fulfilled, otherwise there would be no law. But since life is variable, law is not unchangeable, but rather provisional and transitory, subject to change wherever juridic conditions change. In this way justice is evolved independently of the written law, so that a constitutional government will be more or less perfect, not according to the perfections of its constitutional law, but, rather, according to the practices of those who govern in the effort to realize the ideal. Government rests upon the functioning of its powers, and in their harmonious function lies the secret of governmental stability, the guarantee of the liberties and prosperity of the nation. The rule of government action should be co-operation, collaboration of powers, participating according to their different structures.

The perfection of constitutional government is not so much in the law according to which functionaries work, but in the honesty and intelligence with which they apply it. As Woodrow Wilson has said, constitutional government is one whose powers have been adapted to the interests of the people and to individual liberty. In it exists political liberty or right of the governed to see that the government be adapted to their necessities and interests, since it is founded on the agreement between the governing and the governed. As each generation has a different ideal of life, there must be some organ for adjustment of all social forces in order that there may be, always equal, the harmony between ruler and society. A wise and impartial government will demand that governing and governed mutually live according to law within their powers and prerogatives, observing both individual and civic rights without distinction. And in order to express what they desire, the people must have true representatives, knowing fully all problems of society in order that they may give an appropriate solution for the best administration of the country.

All practices and institutions, within or without the law, which make of government the real directive force of society which it controls, expressing the real desires of society, which will

secure the maximum production of every individual and group, which will give to the individual that security necessary to the protection of his rights, representing the highest example of justice—all these will be the best signs that we are moving toward the ideal of constitutional government.

THE ORATOR RETURNS

(Editorial, *Los Angeles Times*)

PRESIDENT COOLIDGE in one of his speeches at a final meeting of the National Oratorical Contest, described it as "the greatest competition of its kind ever held in the world."

In addition it might be said that, in a sense, it marks the return of the orator to the forefront in the public interest. It is certain beyond any question that it indicates a widespread, vigorous and promising determination on the part of the young men and women to familiarize themselves with and to champion those broad and lasting principles of government upon which our welfare and our happiness are based.

The magnitude of the project is worth more than passing consideration. Approximately 1,400,000 students in 16,218 secondary schools of the United States participated; many thousands of libraries of various kinds made special displays of books dealing with the Constitution or called attention to the subject; 841 newspapers, ranking all the way from metropolitan dailies to village weeklies and student publications, gave space to the project and to the progress of the contestants; the aggregate audience (including the meetings at which the plan was outlined to student bodies and those at which contestants or others spoke on the subject of the Constitution by special invitation of numerous clubs and fraternal organizations) probably exceeded 8,000,000 people.

In passing judgment on an undertaking of this kind, however, it is important to be on one's guard against being swept away by mere bulk, mere quantity, mere words. It is possible to imagine circumstances under which an entire population might be drawn into an attempt to become vocal, and the project might, despite its bulk, be little more than a babel of tongues, productive only of greater confusion in thinking.

Quantity is an essential if such a project is to be successful, but there must be quality along with it, or at least enough quality to thoroughly leaven the mass. It is precisely because the contest attracted both numbers and brains that it is of more than ordinary significance.

The comment of the teachers in almost all of the schools was the same. They marveled at the thought and fervor which went into the compositions—for most of the orations were first constructed in essay form and later recast for public delivery. Furthermore, the old charge that parents are really the contestants in such cases did not stand up under investigation. It often devel-

oped that a boy from a family almost dumb in the English tongue came in with a work which showed genuine research and a high order of logical ability.

Likewise the fear that the plan would culminate in a mere convention of wind-jammers proved groundless. There was very little that was frothy in the orations and a great deal that was of high merit.

Hardly less striking was the manner in which the speakers conducted themselves on the platform. They did not paw the air, get red in the face over cooked-up, imaginary crises or go in for grotesquely overdone gestures.

In fact, oratory of the old type was conspicuously absent. The speakers stood up squarely before their audiences, talked in short, forceful sentences and were (if anything) a little too sparing in gestures. However, when judged not by antiquated theories about oratory, but by the results they accomplish, many of the contestants proved themselves to be real orators.

Oratory, as the national director of the contest so well points out, is not a matter of moving the arms or the legs or the lips or even the eyebrows—but of moving the audience. Judged by that test, which is the only valid one, the contest produced a number of instances of oratory of high quality.

In more than one case a boy or girl, starting out on that beautiful and homely story of Lincoln's humble start and high ideals, held an entire auditorium of schoolmates breathless at a climax or brought to the eyes of older persons a certain mistiness which might easily have been mistaken for a tear.

The speaker, the moving word, hearers capable of response—these are things requisite to successful oratory. All three were abundantly present in this great contest. For that reason, and not because of any mere stampeding of so many thousands to the platform, it is an experiment in practical patriotism which has justified itself by its fruits.

And after all, why should young men and women not become vocal on this great theme? What could be more dramatic than the story of the rise of thirteen discordant and broken colonies to the primacy of the nations of the earth? What could be more fascinating than the study of the development of that ideal of buttressed liberty which is at the very heart of our national welfare and happiness?

AMERICAN BAR ASSOCIATION RESOLUTION

ADOPTED JULY 18, 1924

RESOLVED, The American Bar Association is highly gratified at the success of the National Oratorical Contest, conducted under the direction of a large group of newspapers during the past year, following the outline by our Com-

mittee on American Citizenship, which adopted the slogan, 'The schools of America must save America.'

"Over one million students in approximately 14,000 secondary schools participated in this contest, discussing the Constitution of the United States. Following local contests, the final contest was held in Washington. The President of the American Bar Association, Mr. R. E. L. Saner, presided. The President of the United States delivered an address. The judges of the contest were The Honorable The Secretary of State, Charles E. Hughes, and Associate Justices Van Devanter, Sutherland, Butler and Sanford of the United States Supreme Court, who passed upon the orations of the seven final contestants. The grand prizes awarded were \$3,500, first prize, and \$1,000 and \$500, second and third prizes, respectively.

"The American Bar Association, by its president and executive committee, heartily endorses this contest. *The association urges continuation of the contest to the end that the boys and girls in our schools—the hope of America—thoroughly grounded in the principles of American government, intelligently informed as to the provisions of its Constitution, appreciating their heritage, may become not only its valiant defenders, but missionaries bringing to all our people a better conception of American ideals and American institutions.*"

CHAPTER X

NATIONAL INTERCOLLEGIATE ORATORICAL CONTEST

THE National Intercollegiate Oratorical Contest is conducted by the Better America Federation of California, as a citizenship contribution. The 1927 contest will be the third one conducted by the Federation. Any undergraduate in any college or university in the United States is eligible. The orations must be original, must not require more than ten minutes for delivery, and must be on one of the following subjects: The Constitution; Washington and the Constitution; Hamilton and the Constitution; Jefferson and the Constitution; Marshall and the Constitution; Franklin and the Constitution; Madison and the Constitution; Webster and the Constitution; Lincoln and the Constitution.

For the purposes of the contest the country is divided into seven major regions. Each college selects its own spokesman. The college spokesman within each region compete among themselves to determine the seven who are to speak in the regional finals. The regional winners go to Los Angeles late in June to compete for \$5,000 in cash. This amount is divided among the seven national finalists, according to their relative ratings, in the following amounts: \$1,500, \$1,000, \$750, \$550, \$450, \$400, and \$350.

The contest is directed by Randolph Leigh from contest headquarters, 606 Hibbs Building, Washington, D. C. The officers of the Better America Federation are: H. M. Haldeman, President; F. Dean Prescott, Vice-President; Reese Llewellyn, Vice-President; Leo V. Starr, Treasurer; Jo S. Joplin, Manager.

The speeches of the seven college finalists, in the order in which they were rated by the judges in the 1926 contest follow:

THE CONSTITUTION

BY CHARLES T. MURPHY

Fordham University.

SO sacred a document is the Constitution of this great nation, that I feel altogether incapable of saying anything new concerning it. Surely, I cannot hope to rival those immortal

utterances of our statesmen which enlighten the pages of our history.

Yet of this one thing I am certain! Great as were its founders, they inculcated nothing wholly new in this Constitution. For though we may read and see reflected in its every line, the wisdom of the venerable Franklin; the sagacity of Madison; the juridical genius of Marshall; the literary power of Jefferson; the brilliance of Hamilton and the courage and foresight of Washington—yet who would be foolhardy enough to say it was principally the work of any one of these? To whom can you point as the principal agent? To do so is as futile as to pick the strongest branch of the mighty oak, when ultimately the very strength of that limb depends on its adherence to the trunk of the tree itself. For my part then such a choice involves too heavy a responsibility.

And so, after one hundred and thirty-seven years under this peerless instrument of government, the oldest written form of Constitution, I and every one in this audience can arrive at this inspiring conclusion. This Constitution is not mainly the work of anyone of these men. What was its origin? Taking those noble sentiments, burning with the fervor of patriotism, which were first expressed in the Declaration of Independence they moulded them into an orderly instrument of government. These were the principles of life and liberty, for which they fought in the Revolution. And when the forefathers saw in the Articles of Confederation but a "rope of sand," these were the principles which they determined must be expressed as definitely and as indelibly as were the bloody footprints of Washington's men impressed on the frozen snows of Valley Forge. These men were great because they served the Constitution; because they deliberated not so much for the sake of ambition as for freedom; because they expounded no theoretical document but one of the fundamental principles; because, in short, they created the vital principle of the nation. The Constitution then is a living thing!

Let us abandon our hesitancy, for I ask, Why should it not be yours and mine as citizens to cherish; to deliberate on; to read and discuss just as freely as did our forefathers? But on the tenets of justice, on the example of the patriots, it should also be yours and mine to defend with the last drop of our life's blood!

This was the kind of sentiment that made the origin of the Constitution possible. Still, it was such a radical change in the political philosophy of the world that it had to come gradually. The founders, therefore, took four steps toward our present form of government. In a moment of inspiration they took those fundamental principles so weakly expressed in the Bill of Rights in 1704, united them with the ardent spirit of the Declaration of 1776 and improving on the expedient union of the Confederacy in the Councils of 1787 they formed that immortal com-

pact, The Constitution. And this their crowning labor has become the political bible of a free democratic union.

But the question still stands. How does this instrument work? What is its mechanism? It works on sound business principles which are practically unchanged today and are yet sufficient. Just as they might have been the pride of a Colonial counting house, so today they encompass all our modern methods of business efficiency. Need I recall to you our renowned system of checks and balances? Every citizen recognizes that the three branches of our government, the Executive, the Legislative and the Judicial departments are essentially distinct, yet no one would claim their complete independence, for throughout the whole system the influence of the people is a constant factor. But my friends, ask yourselves, since we have this representative government; which limits, vetoes and checks itself; since we have local autonomy of government and since the founders wisely adopted the features of the English Constitution, but avoided its faults and since these principles have so efficiently withstood the vicissitudes of our history—since all this is so, why should every ranting demagogue, every partisan group, every passing evil, beckon us on to amend the Constitution? The evils of a representative government challenge the responsibility of the electorate. When you amend this instrument carelessly you impair its efficiency and abridge the rights of both state and individual.

However this harmonious mechanism was dependent on the allegiance of every state of an inseparable union. But this hitherto indefinite principle was to be settled in the most sombre and yet the most purgative epoch of our history—the preservation of the Union. Even in the time of Washington there began that regulative feature of our government, the two-party system. Then we had the Nationalists under Hamilton and the Democrats under Jefferson and so in this critical period there were two widely divergent political parties.

When John C. Calhoun, inheriting the mantle of Jefferson stood forth in all sincerity and with his wonderful powers of analysis, argued for the individual sovereignty of the states under the "reserved rights" of the Constitution, holding that any state could nullify a federal law and could remain in the union only so long as it was expedient—why then the irrepressible conflict was inevitable.

But in this crisis did the Constitution lack defenders? Ah! no. Re-vivifying the nationalism of Hamilton, Daniel Webster, "the great expounder" in his reply to Hayne, upheld the Supreme Court as the sole adjudicator of the constitutionality of the law; upheld the Congress as the proper agency for amending that document and proclaimed that immortal sentiment, "Liberty and Union now and forever one and inseparable."

But still the struggle was joined between an empire where

"cotton was king" and whose cornerstone was slavery and a union, supposedly inseparable, whose foundation was freedom. The struggle ended only when four million persons were freed—no longer chattels—no longer a living reproach to the Constitution; it ended only when the conflicting armies had cut a swath of destruction through the most fertile fields of the land and deluged them with the blood of brothers. It ended only when Abraham Lincoln, the most noble and generous president this nation has had, sank down in a pool of martyr's blood. This sacrifice was made, mind you, that the nation might longer endure. Stifling their emotion, the people rejoiced that besides liberty they now had union. Thus they advanced to the unending work of reconstruction.

Now we are in a boundless era of expansion in which we are the protagonists. But do you imagine that the framers of the Constitution foresaw in their wildest imagination that the nation should last over a period of one hundred and thirty-nine years to become the oldest form of government under a written constitution; did they foresee that the nation should be rent by civil war and the question of states rights be settled by the blood of brothers; they did foresee that the number of states would increase from thirteen to forty-eight; that our territorial expansion would extend over the world; did they foresee that America would become the melting pot of the world; that here the working man would be afforded the greatest return for the sweat of his brow; did they foresee after fighting for freedom in order to originate this document that succeeding generations would again fight to preserve it, and that in the final period of expansion we should enlist in the cause of democracy; mobilize a force of four million men and emerge from that struggle victorious—so that we now stand among the nations of the world preeminent in industry, wealth, independence and statesmanship? Did they foresee all this? I am no one to decide. But I know unqualifiedly that we have received this Constitution from them as our glorious heritage. This beacon light of government, our forefathers established. Its rays have penetrated whatever storms threatened the Ship of State as she pursued her course of Destiny; they have illumined a glorious path of progress. But now it is we who must tend the light. May its rays never be extinguished by disloyalty or indifference. May they never be dimmed by selfishness or intolerance. But, as I put the question to you, resolve, to preserve the Constitution inviolate; resolve to make these words of Webster your everlasting creed:—"I mean to stand upon the Constitution. I need no other platform. I shall know but one country—Let the consequences be what they may I am careless. No man can suffer too much and no man can fall too soon if he suffer or if he fall in the defense of the liberties and Constitution of his Country."

THE CONSTITUTION

By ELLSWORTH MEYER

Pomona College.

THE year 1787 marks the beginning of a new epoch in statecraft. In that year the Constitution of the United States was drafted. It was not a mere summary of accepted political principles; it involved a new formulation of the philosophy of state. While the written document, upon casual examination, appears only to set forth the essential practical specifications of our federal structure, it discloses, upon more careful scrutiny, underlying principles of epochal significance.

There are four basic principles upon which the Constitution rests. The first of these is representative government; the second is the dual form of government; the third, the guaranty of individual rights through constitutional limitations; the fourth, independence of the judiciary.

Government through elected representatives, while no innovation of our Constitution builders, received a new form and significance at their hands. They were all suspicious of democracy, as they understood it—that is, of “pure democracy,” or direct participation of the people in the business of government. The Constitution is built squarely on faith in the competence and conscientiousness of representatives, representatives to whom the fortunes of the republic may be intrusted with entire safety. It is explicitly and unequivocally committed to representative republicanism, as opposed to capricious democracy on the one hand and arbitrary autocracy on the other.

But representative government is not the most unique principle of the Constitution. The dual form of government marks an even greater innovation. Never before had a powerful central government been combined with a system of strong autonomous states, subordinate, yet sovereign in their own spheres. The preservation of this balance of powers in the midst of revolutionary changes in social and industrial relations, has been one of the most signal achievements of American political history. The complexity of the problem is suggested by the fact that 263 volumes of decisions of the Supreme Court have been necessary to define the relations between the federal and state governments touching but one matter, that covered by the commerce clause of the Constitution. But the problem has been progressively solved; in an age of unprecedented adjustment, the flexibility of the Constitution has preserved “an indissoluble union of indestructible states.”

Yet another contribution of these master craftsmen is the guaranty of individual liberties through constitutional limitations. “In all previous government building,” writes one publicist, “the State was regarded as a sovereign, which could grant

to classes or individuals out of its plenary power certain privileges or exceptions which were called 'liberties,' " whereas our American Fathers believed "that each individual, as a responsible moral being, had certain 'inalienable rights,' which neither the State nor the people could take from him." This conception that rights of the individual are not derived from government, but are the birth-right of the race, that government is the instrument fashioned for their preservation,—this conception the Fathers formulated in the Constitution. It constitutes a new moment in the political thought of the race and one of the richest treasures of our American heritage.

The preservation of the principles of representative government, of dual government and of individual rights demands that the Constitution be furnished with some powerful agency for the interpretation and enforcement of its provisions. This indispensable organ is provided in an independent judiciary. The Supreme Court, the embodiment of this principle, is the ultimate guarantor of the integrity of all these other basic principles which undergird the Constitution; it throws around them all the "solemn circle of the law." This circle is not some rigid, iron thing, ringing our institutions round with inflexible rules. It is elastic, expansive, infinitely adjustable, as new occasions teach new national duties and new necessities arise. The Supreme Court, since the days of John Marshall, has read out, interpreted, the inner meaning of our supreme law, making the Constitution, not a dead relic of the work of our elder statesmen, but a living, growing, vitalizing power, giving strength, dignity and permanence to this republic.

These four striking departures from the conventional blueprints of political arrangements are the very essence of the American Constitution. But how are they regarded in our day? To be sure, we all accord them our theoretic approval; we would not for a moment consider renouncing them by the formal repeal of the great code of which they are the heart and core. But do not Americans repeal them, in practice, every day? When we fail to exercise the franchise, as fifty per cent of the qualified voters of this republic did at the last national election, do we not, in effect, repeal the principle of representative government? When our elected representatives use their high office, as many of them latterly have done, not for the attainment of the common weal, but for the advantage of small and privileged groups, do not they, in effect, repeal the principle of representative government? When we, prompted by petty sectional considerations, economic or social, exalt the interests of our several states above those of our Union of States, and when our representatives, "drunk with sight of power," imperialize the Union, do not we and they, in effect repeal the principle of dual government? When we and our representatives openly flout the laws of our land, as we and they have done and do without scruple, do not we and

they jointly, in effect, repeal the guaranty of every individual liberty, however hedged about by constitutional limitations? When we insidiously pick away at the integrity of the courts or bring pressure to bear to divest them of their detached, impartial character, do we not in effect, repeal the principle of the independence of the judiciary, the ultimate guarantor of our political order?

In a word, do not we, all of us, in effect, repeal the whole "law and prophets of free government" when we fail to view the discharge of our constitutional duty as a "thing as sacred and august as the white vigils where the angels kneel"? If we intend, in effect, to repeal our national charter, let us be honest and repeal it in fact; but if we still cherish the political faith which that charter incorporates, let us make that faith manifest by our works.

The Constitution comes to us sealed with nearly a century and a half successful operation. It is ours to hold in sacred trust for future generations. That it has sufficed in the turbulent past is an earnest that it will suffice in the uncertain future. The American of tomorrow will pause and inquire of our stewardship of his inheritance. As we rejoice today in the loyalty of the patriots of a century gone, so may Americans of the future "rejoice in our fidelity and love of Constitutional liberty."

Our past devotion to liberties so guaranteed has been in no sense the result of chance. The Constitution is expressive of the essential genius of the American people. Into it we have put the best of our gleanings from the past and the best of our national character and conscience. It is our mind and heart and will in invisible form—a temple of justice, reared on the faith and loving loyalty of a great people. To us is committed the solemn trust of preserving that temple secure upon those foundations.

LINCOLN AND THE CONSTITUTION

By THOMAS F. KELLY

Harvard University

EVERY age and every nation has its superstitions, its legends, and its myths. Our age and our nation form no exceptions. Today, there are two great American myths; about the Constitution and about Lincoln.

Popular conceptions have attributed a glamour to the work of the Fathers. The Constitution, to some people, is governmental perfection, to others a divine revelation. In the eyes of Gladstone it is: "The greatest work ever struck off at a given time by the brain and purpose of man." Such statements, in my opinion, savor more of rhetoric than of fact.

Undeniably the Constitution is a great work, but, contrary

to popular conceptions, the facts show that the Constitution grew out of the thought and experience of the Fathers. The Constitution was laboriously evolved, not struck off from a die prepared.

In essence, the Constitution is a practical code compiled for practical purposes. Its authors sought to erect a framework on which a working government might find immediate support, and which might develop into a system for future needs.

The Framers of the Constitution moulded its well-worded provisions around the latent germ of government. Its ratification enabled that germ to grow and blossom.

But only in a restricted sense is that constitution a living organism. In itself it is but an instrument, not a personality. To direct its proper growth, the Constitution needs a motive force. As William Penn so quaintly put it: "governments, like clocks, go from the motion men give them."

At the outset, gifted statesmen supplied the initial impulse. Washington, Hamilton, Jefferson, and Marshall shaped mightily the destiny of the infant republic. Others carried on where they left off. Meanwhile, momentous changes took place. Expansion came and conflict ensued.

In 1860, the Union stood at the crossroads! Dangers threatened not only the Constitution, but the Union itself. Buchanan, at the crisis, found himself helpless. He proved too weak to weather the storm of secession. The need was for a masterful hand to sever the tight-drawn knot which bound slavery to "state and national rights." The Constitution awaited Lincoln.

What a change came with Lincoln! With him, the Constitution enters a-new upon the era of "liberal construction." And out of his life and his work has grown the myth—self-engendered—about Lincoln.

What is the Lincoln myth? Of late Lincoln's fate has been to be elevated to the pedestal of national saint and eponymous hero. True, no nation could desire a fairer ideal! But blind devotion has exalted Lincoln to be a god among men, a thau-maturge, a divine accident.

Lincoln, the man of flesh and blood, is none of these. He is no chance link in the chain of our national life. He, like the Constitution, is the product of an evolutionary development. Lincoln is the culminating point in a long series which stretches back into the annals of our earliest days.

Lincoln's direct ancestors had left their impress, in turn, upon many parts of the land. In 1637, they settled in Massachusetts where they first sensed the pulse of America. Later, they turned southward into Virginia, then pushed westward into Kentucky and Illinois. These hardy builders of the nation had the vision of a wider America, an America which extended far beyond the Alleghenies, out into the golden west. Their outlook was national, not local; its horizon was the sea.

Instinctively, Lincoln himself became a Nationalist. No one state laid claim to his allegiance for, by pioneer ancestry and frontier environment, he was a part of the nation. Lincoln the boy, reading American history before that rude fireplace in the Illinois cabin, realized that his own fathers had contributed to shape that history. Lincoln the man foresaw that America's future greatness depended upon the continuation of that history; upon the unity of the states.

Lincoln was above all a Nationalist. He believed that America, in order to fulfill its destiny, must hold fast to the Constitution and the Union. To accept Disunion was to end the work of the Fathers, as well as the history and destiny of the Republic. To maintain the Union, safeguard the Constitution, and preserve our liberties, dominated all of Lincoln's political acts.

But what contributions did Lincoln make to American political life? Lincoln did more than maintain the Union. Through him the country came to recognize the bond of union as a permanent, lasting one. Lincoln had nationalized the Republic! In so doing he nationalized the Constitution! It became an instrument of government of National supremacy.

Lincoln's second contribution, the greatest since the adoption of the Constitution, is: he humanized it! The Emancipation Proclamation did more than to sever the tight-drawn knot which bound slavery to "state and national rights," more than to strike off the shackles of slavery. It broke down racial barriers; it abolished discriminations; it opened wide vistas of opportunity. In giving freedom to slaves, he assured freedom to the free. By that act, Lincoln aroused the national conscience, so that constitutional amendments soon embodied and thereby safeguarded, Lincoln's humane contribution for the ages to come.

Lincoln Nationalized and Lincoln Humanized the Constitution! In nationalizing it, he attacked Sectionalism based upon economic and political interests; in humanizing it, he attacked Sectionalism begotten of class and racial prejudices. Lincoln's whole lifework reflects a constant struggle against the Sectionalism of selfish groups and interests.

Now what does plain Abe Lincoln mean for our day? What positive living appeal does he make to us?

Today, America has swung into another cycle of national development. Hard facts confront us. Political, social, and economic problems demand solution. Political abuses challenge our attention; social and economic legislation waits, while class hatreds divide; racial and religious jealousies embitter. Lincolnian tolerance is no longer a national virtue. Sectional interests again sever a united nation; discordant din drowns the patriotic harmony. All these problems are serious ills in the body politic. The dangers are the same as in Lincoln's day. They menace, they destroy.

Yet it is a hopeful thought to realize that the Constitution,

through the labors of men like Lincoln, can be adjusted to meet the needs of our day. Settlements are possible in Lincoln's way—not by radical but by constitutional means. "With malice toward none, with charity for all," he struck the modern keynote of equitable adjustment.

Let me now reiterate my convictions; in place of the mythical Constitution and the mythical Lincoln, the real Constitution—an evolving instrument of government, and the true Lincoln—the motive force behind that instrument, show themselves as great vital forces which form an integral part of our national life. To the American nation they are the heritage of a glorious past! Lincoln and the Constitution will endure, so long as unity and tolerance thrust down sectionalism and prejudice, so long as fairness and love of truth mediate between the factions of discontent, so long as reason and justice guard that heritage, so long as humanity and man are vital in our national life. Our work is to transmit unimpaired and with progressive improvement that heritage to the future. Citizens of America, we must not fail!!

THE CONSTITUTION

BY THOMAS BURNS DRUM

Bucknell University

A CERTAIN orator, speaking before the convention of a political party which polled over one million votes in a recent election, said: "Why should we of the twentieth century be bound beneath the yoke of an eighteenth century document? Why should we who call ourselves freemen wear fetters forged at Philadelphia and placed about our limbs by a handful of men who now exist only as half-forgotten memories?"

There are those of us who love this constitution, and to us falls the task of answering this bold indictment. What is the constitution? Is it a piece of yellow parchment preserved and kept through the ages, or is it more? It is the experience of all the ages of the English-speaking races. Each phrase comes from the effort of countless thousands, each clause is red with the blood of unknown patriots. All of the best of all the centuries of English effort has found its way into its yellow sheets, and added to it is the new, out of the hearts of those who through the long summer months of the convention were not afraid to call themselves Americans. This experience of the past, plus the great lessons learned by patriots throughout colonial days, make of it the culmination of the efforts of the English-speaking races, the gift of generations to the world. What is this old, what is this new which makes the constitution bear the test of time in a world of constant changes?

England has been called the cradle of democracy, and rightly so. Many are the blood-bought victories of her sons, but of them all the basic fundamental one is Magna Charta. The dying rays of the twelfth century fell upon an England which was not free. An autocratic ruler robbed the citizen of the name of Englishman and put upon his brow the deadly word "slave." The baron in his castle knew not when the licentious King John might slay, murder, burn, destroy, or despoil that which was more valuable than life or limb. The yeoman was but serf upon the land, inferior in price to the ox which toiled by his side. Justice was a sham, majesty a mask for vice, and liberty forgotten and unknown. A worthy picture for a Rome under a Nero, but a strange nightmare for the isle of England. The night is always darkest just before the dawn, and so it proved of England. The year 1215 saw Englishmen emancipated and forever free from the tyranny of the autocratic rule of any sovereign king. These words of Magna Charta filled the air—

The king shall seize no freeman save by legal judgment of his peers or by the law of the land.

The king shall sell to no man justice or right.

The king shall make no tax save by the will of the common council of the realm.

The king shall form no arbitrary tax, nor shall he compel lawless exactions from the people.

These were the words which made England free from Crown and scepter. As Chatham said, "The poorest man might, in his cottage, bid defiance to the king. It might be frail, its roof be shakey, the storm might enter, the rain might come in, but the King of England, with all his forces, could not cross the threshold of that ruined hut." This was England's great contribution to the ages. All the efforts of her centuries tended to this sole end, that Englishmen might be forever free from erring kings, and rights might be forever sacred from the encroachments of the crown.

The generations came and went, and Englishmen spread to all the earth carrying with them the English contribution to humanity,—freedom from the executive. The storms of the eighteenth century approached. A stamp act, passed by the legislative parliament, an excise tax, passed by the representative of England, a series of so-called intolerable acts, gave ample proof that despotism was not the sole prerogative of a king. As Madison said, "There is no tyranny like the tyranny of an unwise parliament." Parliaments could be bought and swayed by eloquence or passions from the true course of the principle and law. When at last the founders of our government learned this lesson and purchased their liberty on the field of many a battle, they gave to the world this constitution, the *second contribution* of the

English-speaking race. They did not place the protection of their sacred rights in a king; this lesson they had learned in England from Magna Charta; they did not place them in a parliament, this lesson they had recently learned from bitter colonial experience; they placed them in a constitution, and man was free after the battles of the centuries, not only from the king but also from the tyranny of a slight majority in a legislative body.

In England rights may change with parliaments, and sacred principles may bow to cabinets. That which is the sacred law today may with the twilight pass into oblivion, and tomorrow's sun may see new factions in control, passing laws which reverse the practice of the centuries. As Randolph Leigh said, "The English can at any time recast the whole machinery of government by merely a majority of one vote in Parliament. The whole weakness of the British system lies in the fact that is too immediately responsible to popular will." A public stirred by passion and led by a Lloyd George or a MacDonald may completely change the course of empire and government. Now this way, now that, the English nation must go as a scant majority if parliament deems fit to go, and each election sees it on a different course.

In America this is not so. Our leaders rise and fall, our transitory passions backed by our small majorities come and go, but the sails of our great ship of state are not set, as England's are, to catch the fleeting breezes of these popular majorities. Rather they are set full wide to catch only that breeze which is true and lasting, and her tiller is lashed to one steady onward course, fixed and immovable, by this strong constitution. Freedom of speech, of press, right of assemblage, religious liberty, relief from ex post-facto laws, freedom from bills of attainder, trial before condemnation, equality in law, liberty without license,—all these and others are things placed safe from parliament and king, these are the strands which made up that mighty rope which has bound the rudder of our ship to the steady onward course which she has taken for 138 years. The storms of popular madness may buffet her about, the crew may, in ignorance, demand a change of course, but the tiller is bound, the ship of American Federation can go in but one direction; and so, while England, France, and Italy and other parliamentary governments turn here and there at every popular blast, while they twist and change as popular majorities shift from principle to principle, sometimes falling into the hands of a dictator, our tiller-locked ship steers straight and true in the course mapped out for her by the fathers. As S. S. Cox said in an address in New York City, "The constitution is never greater than when it asserts its majesty above popular electoral majorities. Greater than our Washingtons, Jeffersons and Madisons, greater than our Jacksons, Lincolns, and Grants, greater than all civic or military personalities, stands the constitution of the United States."

Throw it away? Discard it as the worthless product of a former age? Sooner let the mariner throw away his compass and the wanderer blind himself to the light of the polar star. Let no hand grasp a knife and loose from our tiller, the rope of constitutional liberty which keeps America on her steady course. Let us study its principles, for they live today as they have never lived before. Let us guard it with our lives that we may say to those who are to come the words of that famous son of Kentucky: "We leave this memorable chamber bearing with us unimpaired that constitution which we have received from our fathers. The structures reared by man must yield to the corroding tooth of time. These marble halls must moulder into ruin, but the principles of constitutional liberty do not decay. Let us devoutly pray that another Senate in another age may bear into a greater chamber this same constitution, vigorous and unimpaired, and that the last generation of posterity shall witness the deliberations of the representatives of these United States still united, prosperous, and free."

THE CONSTITUTION

A. VANCE GRAHAM

University of Denver

THERE are times in the lives of men when the lure of eulogy is strong. Such a time is the present. A Constitution which in one brief century and a half has guided its people from humble obscurity to world leadership, from the bondage of oppression to the freedom of self realization is a matchless theme for unbridled praise. And that there is great value to be derived from praise no one will deny. The chronicle of America, though old and often retold, has a mystic appeal which enraptures all who listen. Where is the son of liberty whose being is not vibrant at the story of that Constitution which for the first time in all history made it possible for the section hand to become president of the railroad; the clerk head of the bank; the rail splitter leader of the nation! Where is he, called American, who is not strangely awed by the narrative of that Constitution which recognizes for the most friendless and lonely human being the inherent right to life, liberty, and the pursuit of happiness which even a hundred million citizens cannot deny nor abridge!

But, my friends, if we would maintain this Constitution to live under which President Coolidge recently declared is "the greatest political privilege ever accorded to the human race," we must do infinitely more than sit entranced under the spell of silver-tongued eulogy and poet-penned praise. Praise without works is dead, and works without intelligence, blind. Just what is this Constitution of which we speak? Certainly it is not a relic or heir-

loom to be carefully preserved in a glass case. It is not ornamented parchment, but organic power; it is not red seals, but red blood. It is something living, growing. Its strength lies in its adaptability to slow and progressive change. But we must remember that in spite of its adaptability, there are great basic principles underlying it which are as unchanging as the everlasting hills. The individual's right to life and property, the maintenance of the golden mean between the extremes of autocracy and mobocracy are as vital in 1926 as in 1776. This conception of combined flexibility and permanence forms a genuine understanding of our Constitution.

Failure to grasp this true conception has confronted us with a grave menace. Most of us are aware, I take it, of the distinct deviation from principles of Constitutional republicanism toward unconstitutional direct democracy in nearly half our states. This must be guarded against. Yet I would call to your attention tonight a far more serious menace—more serious because, unlike the Initiative and Referendum and Recall, it cannot be easily discerned. It defies definition. It is subtle and insidious. It is the menace of substituting a mere outward display of allegiance for a genuine life-giving support of the principles of the Constitution. It is the danger of prating of patriotism, but failing to practice what the Constitution preaches. Consider with me some cardinal principles explicitly stated in the Constitution and for the maintenance of which it was founded. "Establish justice"—think of the many who applaud for justice and while applauding, practice the grossest injustice at every opportunity! "Insure domestic tranquillity"—think of that great host which extols tranquillity and while extolling, stirs up race against race; class against class; creed against creed! "Promote the general welfare"—think of that great array which pleads the general welfare, and while pleading, puts personal gain above public good!

That's our problem, friends. It isn't so much a problem of dealing with alien foes as with our own best Americans—with ourselves. It is the problem of keeping American citizenship conscious of the fact that Constitutional government can never be bought by the vain repetition of empty shibboleths and the waving of flags. And the only way we can do that is forever to have done with mere pretension and profession, and put the Constitution into practice in our daily living! What we need is less applause on the Fourth of July and more action on the fourth of November. In other words, I'm saying just this—the only way out of the danger now confronting us is to make the Constitution so personal that each of us will live its principles day by day, no matter how difficult it may be—and it is difficult. It means personal inconvenience. It means an extra trip to the library to keep one's self intellectually abreast of modern trends in government. It means getting out to vote on a cold, rainy day. Fifty per cent of our so called Americans no longer do

that—even on a sunny day. A “government of the people” cannot long endure without the vote of the people. But it means more than that. It means assuming such an active interest in the primaries and in the party caucuses preceding the primaries that when election day arrives, voters will not be embarrassed by an undesirable alternative. And once at the polls, it means a vote for those candidates who are still old fashioned enough to uphold the principles of Constitutional government. Too many men have washed their hands of politics today—forgetting that if good men don’t hold office, bad men will. It means a sympathy for and confidence in our public servants, turning away from all carping, cutting criticism of them upon the slightest provocation. It means a square deal to all races and creeds. It means making of the Constitution not a convenient creed to be professed, but a political religion to be lived!

And when we have lived that religion, when we have become not only hearers but doers of the Constitution—then, employers and employees will share a mutual confidence, and justice will be established. Races and classes and creeds will achieve together their common interest and domestic tranquillity will be insured. Good men will prize public trust more than personal enterprise and the common welfare will be promoted. Then we shall have insured the perpetuity of our Constitution for we shall have embodied it in flesh and blood.

THE CORNER-STONE OF AMERICAN LIBERTY

By PHILIP N. KRASNE

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THE Constitution of the United States means a dream come true. It means the culmination of man’s immemorial aspiration for individual liberty, the culmination of an age-long struggle for democracy. It represents the climax of a great evolution toward political freedom, which began back in the early, misty days of Anglo-Saxon history, and progressed through all its successive stages. The Constitution is symbolic of the entire process of undeviating advance toward an ideal.

But I am not here to pronounce a eulogy on the Constitution. I invite your consideration, rather, to a movement which even now strikes at the very heart of the Constitution, which, if successful, would undermine the foundation upon which it rests. I speak of the proposed constitutional amendment to abolish the power of Judicial Review—the power of the Supreme Court to declare invalid any act repugnant to the Constitution: that power, established by the Great Chief Justice, John Marshall, which has so long been the guardian of our treasured rights, which has

maintained the system of checks and balances so necessary to our form of government, which has repeatedly prevented even the most powerfully organized attempts at constitutional violation.

Certain ardent adherents of liberal constitutionalism are not satisfied with this power. They are discontented particularly with the Income Tax, the Minimum Wage, and the Child Labor decisions. They demand that this Court prerogative of declaring an act invalid, should be retracted, and that Congress be made the ultimate judge of the Constitutionality of its own acts. They charge that this function of the Court was never intended by the Constitution, and that Marshall therefore usurped this power when he bestowed it upon the Judiciary.

But suppose we turn back for a moment and ascertain what the framers of the Constitution really intended. Alexander Hamilton, speaking for the overwhelming majority at the National Constitutional Convention of 1787 explicitly stated, "It is the duty of the Federal Judiciary to declare all acts contrary to the manifest tenor of the Constitution void." And the leaders of the subsequent ratifying state conventions were entirely in accord. Patrick Henry, Luther Martin, Madison, Rufus King—all of them—made it unmistakably clear that the Court should exercise the right of Judicial Review.

But these so-called progressives also assail the Doctrine on the ground that the Court has been guilty of grave mistakes. To be sure, the Supreme Court is not infallible; it is imperfect as all things human are imperfect. But as President Coolidge has said: "It is not necessary to prove that the Supreme Court has never made a mistake; but if the power is to be taken away, then it is necessary to prove that those who are to exercise it will make fewer mistakes." Are we to believe that Congress, which may sway with every political caprice, which may bow to every transitory whim of public opinion, will make fewer mistakes than the United States Supreme Court, the greatest deliberative body in the world—unsullied by political passions and maneuvering, unaffected by biased sentiment, unmoved by selfish motives, undisturbed by the fear of tenure of office, guided only by conscience and by the Constitution? Reflect upon these differences, and ask yourselves which body is best fitted to cope with our intricate constitutional problems.

And ask yourselves also, what would become of our sacred constitutional rights, our individual liberties, if Congress were allowed to decide the constitutionality of its own acts? What assurance could we have that Congress would not deny us the right of Habeas Corpus, or of Trial by Jury, or of Freedom of Speech? What would prevent Congress from requiring a religious test for the right of Franchise, from passing Bills of Attainder, and from confiscating our private property without just compensation? We must not forget that our government is founded on the basic principle of Limited Powers. Congress is

confined to certain very definite limits, and it should not be mistaken or forgotten that we have a written Constitution. Any attack on Judicial Review is an attack on this principle of Limited Powers, and on our Constitution. Yet there comes this radical proposal to abolish Judicial Review—to destroy the only instrument which has ever been devised, or could be devised, to serve as a check upon the legislature. What is to become of our Constitution—the reward of that age-long struggle for individual freedom, if Congress be allowed to ignore and violate it at will?

Tyranny is no less tyranny if practiced by Congress, even if practiced by the majority against the minority. We are all, each and every one of us, entitled to the enjoyment of the fundamental rights of humanity which are guaranteed by the Constitution. That the majority might never abuse the minority, that freedom might never degenerate into license, that Congress might never burst the bonds of its defined and limited powers, there has been set up a perpetual and impenetrable bulwark in the power of Judicial Review. But now there comes a malignant movement to destroy that bulwark, a movement which would change our limited Federal Republic, to a centralized, consolidated form of government with unlimited powers. My friends, if we are not willing to acquiesce in such a change, if our traditional rights are to be preserved, if our Constitution is to remain the model constitution of the world, then we must take to our hearts again, the immortal words spoken a century ago by John Marshall, when he said:

“Without Judicial Review our Constitution would be no constitution; our government no government. It is the cornerstone of American Liberty, and must not be destroyed.”

JOHN MARSHALL AND THE CONSTITUTION

By JOHN G. TARRANT

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THE founders of this Nation saw that a multitude of hostile and distinct governments upon this continent would be mutually disastrous. To prevent this two things were necessary, unification and centralization. And in order to obviate, on one hand, unification becoming a mere rope of sand, or on the other hand centralization becoming an oligarchy, required that the functions of the new government be supreme, but only within the province of its delegated objects. Out of this impulse was born the child that was destined to exert a vast and beneficent influence upon mankind.

The characteristics embodied, were sanctioned not by experience or precedent, but by an inherent consciousness of certain

rights bestowed upon man by his Creator. Although today we realize the intrinsic value of this charter of human liberties, originally it was received with feelings of jealousy and suspicion. In 1788 the tide of rejoicing over political liberties won, and the early hopes stimulated by the Articles of Confederation, had unmistakably ebbed. At this time ratification promised the only relief from threatening anarchy and disintegration, and this hope temporarily supplanted popular apprehensions.

Immediately after ratification, a widespread sense of security was manifested. Yet despite this added strength, differences of attitude persisted, sectional suspicions prevailed, and the deep-rooted selfish interests of the states were to determine whether or not the principles of the constitution could endure.

That these concepts might endure free of the defects of the Articles of Confederation, a new and essential agency of government was created—the Supreme Court.

For long intervals, cases were postponed through fear of precipitating dire consequences. Because of general disrespect for the court, one judge, John Jay, saw in it too little dignity or importance even to accept reappointment. But John Marshall saw in this branch of government a potential balance wheel of Federal existence. He noted first, what Lincoln later discovered, that failure to employ the Supreme Court, or to disturb its existence, would be revolution. A master builder was now at work, and from that moment the Constitution was destined to command and receive respect and obedience.

The new Chief Justice realized that the strength of our Constitution lies not in a haphazard division of powers of the Federal and state governments, but in an ingenious separation of their objects.

John Marshall saw that the unit of membership in the new government was the individual citizen, and that the government's guarantees to the individual citizen must be made supreme. This was established by Marshall in the celebrated case of *Marbury v. Madison*. The Constitution limited the original jurisdiction of the Supreme Court to two classes of cases. Congress extended this to an entirely different and distinct class. The question then arose whether this act repugnant to the Constitution could become the supreme law of the land, and Marshall decided that it was null and void. Since that time Congress has tried to pass *ex post facto* laws, attempted to try men twice for the same offence, sought to compel the recognition of social equality between the whites and blacks, endeavored to take private property for public use without due compensation, and has prescribed religious qualifications for public office—all contrary to the Constitution; but each time the encroachment has been warded off by Marshall's reasoning in that brilliant judicial utterance which established for all time that the rights of the individual citizen are inalienable and supreme.

John Marshall observed that unification, in fact as well as name, was essential to National existence. The famous case of *Gibbons v. Ogden* gave him an opportunity to decree that a state could not exploit the general interests of the Nation. New Jersey attempted to control commerce between that state and New York. Marshall reasoned that the Federal Government alone had absolute and exclusive control over commerce, not only with foreign countries, but also between the several states. He said, "The genius and character of the whole government seem to be that its action is to be applied to all those external concerns of the Nation and to those internal concerns which affect the states generally." Thus did he make possible our great railroads, the arteries of the Nation, with which the states cannot interfere. He facilitated the vast and indisputable network of telephone and telegraph lines, carrying to the most remote corners without interruption, information common to us all. He broke the ground for commercial enterprises operating in other states—all of which have added to make this the greatest, wealthiest, and, I venture, the happiest Nation on earth today. These agencies unify our ideas and interests, and provide the greatest assurance of the indestructible existence of this Nation.

But any written, limited and defined law may become inapplicable with change of time and condition. Marshall knew this, and sought to provide against it by making the details of interpretation flexible and elastic. In the famous case of *McCulloch v. Maryland*, the state attempted to tax the securities of a bank created by Congress. The Constitution did not expressly give Congress this authority, but Marshall reasoned that promoting the general welfare implied the authority to create the bank. This immortal contribution established a liberal interpretation of the Constitution, and provides for the ever changing demand of unborn generations. Besides this, Marshall's classic decision forever frees the Federal and state governments from reciprocal destruction through taxation. It permits today the existence of our Federal Reserve Bank, which insures this Nation against financial disasters.

The great Chief Justice with each opportunity interpreted the Constitution to secure perpetually the sovereignty of this nation to the people. But coexistent with this sovereignty is the responsibility of citizenship. One does not, one cannot, exist without the other. If these responsibilities are ever thrown aside with reckless want of governmental concern, that day marks the decline of this Nation's growth and power; for history reminds us that tyrannies and oligarchies are ever waiting such political weaknesses.

John Marshall with the zeal and genius of a master was ever engaged in engraving the principles of the Constitution upon this Nation. We see him establishing the inalienable rights of the individual citizen; providing for the constitutional demands

of unborn generations; forging the law of an indestructible Nation, which is a memorial to God and an everlasting tribute to the unselfish purpose of man. Let us not remove the ancient landmark which our Fathers have set.

